

Bill No. SB 2048

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581-1797A-06

Proposed Committee Substitute by the Committee on Education

1 A bill to be entitled

2 An act relating to education; providing

3 guidelines for implementing the E-COMP plan or

4 a comparable performance pay plan, policy, or

5 rule adopted by the State Board of Education

6 after a specified date; providing for the

7 implementation of the Ready to Work Initiative;

8 amending s. 11.90, F.S.; requiring that the

9 Legislative Budget Commission review proposed

10 federal education plans; amending s. 20.15,

11 F.S.; establishing the Division of

12 Accountability, Research, and Measurement in

13 the Department of Education; repealing s.

14 446.609, F.S., relating to the "Jobs for

15 Florida's Graduates Act"; amending s. 1000.03,

16 F.S.; specifying that the mission of the

17 state's K-20 education system is to provide

18 rigorous and relevant learning opportunities

19 for students; repealing s. 1000.041, F.S., to

20 conform provisions relating to the 2005 repeal

21 of the BEST Florida Teaching salary career

22 ladder program; amending s. 1001.02, F.S.;

23 requiring legislative approval of a revised

24 state plan to implement certain federal

25 requirements; amending s. 1001.03, F.S.;

26 requiring the State Board of Education to

27 facilitate the review of the Sunshine State

28 Standards and provide a report to the Governor

29 and Legislature; requiring the maintenance of a

30 uniform school district personnel

31 classification system; amending s. 1001.10,

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1 F.S.; requiring legislative approval of a
2 revised state plan to implement certain federal
3 requirements; creating s. 1001.215, F.S.;
4 creating the Just Read, Florida! Office in the
5 Department of Education; providing duties;
6 amending s. 1001.33, F.S.; conforming
7 provisions relating to the 2005 repeal of the
8 BEST Florida Teaching salary career ladder
9 program; amending s. 1001.41, F.S.; requiring
10 district school boards to adopt standards and
11 policies to provide to each student a complete
12 education program; amending s. 1001.42, F.S.,
13 relating to requirements of district plans for
14 school improvement; providing requirements for
15 district school boards in developing the plans;
16 repealing s. 1001.51(24), F.S., and amending s.
17 1001.54, F.S.; conforming provisions relating
18 to the 2005 repeal of the BEST Florida Teaching
19 salary career ladder program; requiring each
20 secondary school principal to implement a
21 school redesign component; amending s. 1003.01,
22 F.S.; revising the definition of the terms
23 "special education services" and "career
24 education"; amending s. 1003.05, F.S.; deleting
25 the requirement that certain children receive
26 preference for admission to special academic
27 programs; revising programs defined as "special
28 academic programs" for purposes of such
29 preference; amending s. 1003.21, F.S.;
30 requiring student exit interviews prior to
31 terminating school enrollment; amending s.

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1 1003.415, F.S.; renaming the Middle Grades
2 Reform Act as the "Florida Secondary Schools
3 Redesign Act"; providing legislative purpose
4 and intent; requiring that school boards adopt
5 policies for the secondary school redesign
6 component; providing requirements for the
7 middle school plans and high school plans;
8 requiring each middle school to develop a
9 personalized academic and career plan for each
10 student; requiring that the plan be refined
11 each year; providing requirements for
12 remediation; requiring that the Department of
13 Education provide model personalized academic
14 and career plans; requiring public schools and
15 charter schools to provide a progress
16 monitoring plan for students who score below a
17 specified level on the FCAT; creating s.
18 1003.4156, F.S.; specifying general
19 requirements for middle school promotion;
20 requiring an intensive reading course under
21 certain circumstances; requiring school
22 district policies for implementation and
23 authorizing alternative methods for
24 progression; amending s. 1003.42, F.S.,
25 relating to required instruction; revising the
26 requirements for studying U.S. history and free
27 enterprise; creating s. 1003.428, F.S.;
28 providing revised requirements for high school
29 graduation; specifying the required courses;
30 requiring that certain courses be based on the
31 student's performance on the FCAT; requiring

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1 that district school boards establish policies
2 for implementing secondary school reform;
3 requiring the Department of Education to
4 increase the number of courses that are
5 available to school districts; providing for
6 the State Board of Education to adopt rules;
7 amending s. 1003.429, F.S.; revising
8 requirements applicable to selecting an option
9 for accelerated high school graduation;
10 revising required courses for the 3-year
11 standard college preparatory program; deleting
12 provisions authorizing a student to select a
13 3-year standard career preparatory program;
14 revising requirements for grades that must be
15 earned to participate in the accelerated
16 program; providing for default to the standard
17 graduation requirements in certain
18 circumstances; amending s. 1003.437, F.S.;
19 including middle grades in the uniform grading
20 system; amending s. 1003.491, F.S.; including
21 within career education personal and career
22 plans; creating s. 1003.493, F.S.; defining the
23 term "career and professional academy";
24 providing academy goals and duties; providing
25 types of career and professional academies;
26 providing for the approval of career education
27 courses as core curricula courses under certain
28 circumstances; creating s. 1003.494, F.S.;
29 requiring the Department of Education to
30 establish a Career High-Skill Occupational
31 Initiative for Career Education (CHOICE)

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1 project as a competitive process for the
2 designation of school district participants and
3 CHOICE academies; providing eligibility
4 criteria for such designation; providing duties
5 of school districts and the department;
6 providing for the award to certain school
7 districts of startup funds for the development
8 of CHOICE academies; creating s. 1003.495,
9 F.S.; requiring the department to establish a
10 comprehensive career academy project to provide
11 for the designation of comprehensive career
12 academies; providing duties of the department;
13 providing for assessment of academies; amending
14 s. 1003.43, F.S.; requiring district school
15 board student progression plans to provide for
16 the substitution of certain courses for credit
17 requirements for high school graduation;
18 amending ss. 288.9015 and 445.004, F.S.;
19 providing duties of Enterprise Florida, Inc.,
20 and Workforce Florida, Inc., to conform;
21 amending s. 1003.57, F.S.; providing guidelines
22 for determining the residency of a student who
23 receives instruction as an exceptional student
24 with a disability; requiring the student's
25 placing authority or parent to pay the cost of
26 such instruction, facilities, and services;
27 providing responsibilities of the Department of
28 Education; providing responsibilities of
29 residential facilities that educate exceptional
30 students with disabilities; providing
31 applicability; creating s. 1003.576, F.S.;

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1 requiring the Department of Education to
2 develop an individual education plan form for
3 use in developing and implementing individual
4 education plans for exceptional students;
5 requiring school districts to use the form;
6 amending s. 1003.58, F.S.; correcting a
7 cross-reference; amending s. 1003.62, F.S.;
8 conforming provisions relating to the
9 designation of school grades and
10 differentiated-pay polices; creating s.
11 1004.64, F.S.; establishing the Florida Center
12 for Reading Research; specifying the duties of
13 the center; amending s. 1006.09, F.S.;
14 conforming a cross-reference; amending s.
15 1007.21, F.S.; revising the readiness
16 requirements for postsecondary education and
17 the workplace; amending s. 1007.2615, F.S.;
18 revising the date by which a teacher of
19 American Sign Language must be certified;
20 deleting a provision allowing alternative
21 certification; amending s. 1007.271, F.S.;
22 revising the weighting systems for certain high
23 school courses; amending s. 1008.22, F.S.;
24 specifying FCAT grade level and subject area
25 testing requirements; requiring documentation
26 of procedures that ensure test difficulty under
27 certain circumstances; requiring the State
28 Board of Education to conduct concordance
29 studies to determine FCAT equivalencies for
30 high school graduation; deleting a limitation
31 on and specifying requirements for the use of

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1 alternative assessments to the grade 10 FCAT;
2 requiring an annual report on student
3 performance; amending s. 1008.25, F.S.;
4 revising requirements for assessment and
5 remediation; requiring that students be
6 provided with strategies for intervention and
7 instruction; repealing s. 1008.301, F.S.,
8 relating to a concordance study of FCAT
9 equivalencies for high school graduation;
10 amending s. 1008.31, F.S.; revising goals and
11 measures of the K-20 performance accountability
12 system and requiring data quality improvements;
13 providing for development of reporting or data
14 collection requirements; amending s. 1008.33,
15 F.S.; conforming a cross-reference and
16 provisions relating to the designation of
17 school grades; amending s. 1008.34, F.S.;
18 revising terminology and provisions relating to
19 designation and determination of school grades;
20 providing for the designation of school grades
21 for feeder pattern schools under certain
22 circumstances; requiring that a school
23 performance grade category designation include
24 achievement scores and, by a specified
25 deadline, include learning gains for students
26 seeking a special diploma; specifying use of
27 assessment data with respect to alternative
28 schools; defining the term "home school";
29 requiring an annual school report card to be
30 published by the department and distributed by
31 school districts; creating s. 1008.341, F.S.;

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1 requiring improvement ratings for certain
2 alternative schools; providing the basis for
3 such ratings and requiring annual performance
4 reports; providing for determination of school
5 improvement ratings, identification of learning
6 gains, and eligibility for school recognition
7 awards; requiring the development and
8 distribution of an annual school report card;
9 amending s. 1008.345, F.S.; conforming
10 cross-references and provisions relating to the
11 designation of school grades; amending s.
12 1011.62, F.S.; providing FTE funding for
13 juveniles enrolled in specified education
14 programs; providing funding for supplemental
15 educational programs; providing funding for
16 supplemental educational services for certain
17 students; conforming cross-references and
18 provisions relating to the designation of
19 school grades; establishing a research-based
20 reading instruction allocation to provide funds
21 for a comprehensive reading instruction system;
22 requiring school district plans for use of the
23 allocation and approval thereof; including the
24 allocation in the total amount allocated to
25 each school district for current operation;
26 amending s. 1011.64, F.S.; conforming
27 terminology and a cross-reference; amending s.
28 1011.685, F.S.; conforming provisions relating
29 to the 2005 repeal of the BEST Florida Teaching
30 salary career ladder program and implementation
31 of a differentiated-pay policy; amending s.

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1 1011.71, F.S.; correcting a cross-reference;
2 amending s. 1012.21, F.S.; requiring the
3 department to annually post online school
4 district collective bargaining contracts and
5 the salary and benefits of certain personnel;
6 amending s. 1012.22, F.S.; deleting a
7 requirement that each district school board
8 adopt a performance-pay policy; requiring each
9 district school board to annually provide to
10 the department its negotiated collective
11 bargaining contract and the salary and benefits
12 of certain personnel; creating s. 1012.2312,
13 F.S.; requiring each district school board to
14 adopt a differentiated-pay policy for
15 instructional personnel; providing factors on
16 which differentiated pay shall be based;
17 authorizing the withholding of funds from
18 school districts under certain circumstances;
19 creating s. 1012.2313, F.S.; requiring each
20 district school board to have a
21 differentiated-pay policy for school
22 administrators; providing factors on which
23 differentiated pay shall be based; authorizing
24 the withholding of funds from school districts
25 under certain circumstances; creating s.
26 1012.2315, F.S.; providing school district
27 requirements for the assignment of teachers and
28 authorizing incentives; providing procedures
29 for noncompliance; providing requirements
30 relating to collective bargaining; amending s.
31 1012.27, F.S.; conforming provisions relating

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1 to the 2005 repeal of the BEST Florida Teaching
2 salary career ladder program and implementation
3 of a differentiated-pay policy; amending s.
4 1012.28, F.S.; conforming a cross-reference;
5 amending s. 1012.34, F.S.; conforming
6 provisions relating to deletion of a rigorous
7 reading requirement; amending s. 1012.56, F.S.,
8 relating to middle grades certification;
9 encouraging school districts to provide for
10 additional certification for teachers; amending
11 s. 1012.98, F.S., relating to the School
12 Community Professional Development Act;
13 revising the purpose of the professional
14 development system; providing for additional
15 activities; requiring instructional strategies
16 and methods that support rigorous, relevant,
17 and challenging curriculum; providing
18 requirements for followup support and the
19 master plan for inservice activities; providing
20 requirements for the individual professional
21 development plan for instructional employees;
22 requiring the department to disseminate
23 best-practice methods and model professional
24 development programs; creating s. 1012.986,
25 F.S.; providing for a statewide system for the
26 professional development of school leaders
27 consisting of a collaborative network of
28 professional organizations; providing goals of
29 the network; repealing s. 1012.987, F.S., which
30 requires the State Board of Education to adopt
31 rules through which school principals may earn

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1 a leadership designation; providing an
2 effective date.

4 Be It Enacted by the Legislature of the State of Florida:

6 Section 1. The effectiveness-compensation plan known
7 as E-COMP or any comparable performance pay plan or policy, or
8 rule implementing such a plan or policy, adopted by the State
9 Board of Education on July 1, 2005, or thereafter may not
10 require school districts to implement such a plan, policy, or
11 rule before the beginning of the 2007-2008 school year.
12 However, a school district, in its sole discretion, may
13 voluntarily implement such a plan, policy, or rule before the
14 beginning of the 2007-2008 school year. This section shall
15 expire June 30, 2008.

16 Section 2. (1) The purpose of this section is to
17 implement the Ready to Work Initiative. The initiative is to
18 use assessments to identify specific skills that indicate a
19 competence level to enter a specific occupation and to provide
20 targeted instruction in the specific skills in which a student
21 has not demonstrated mastery. Upon the successful completion
22 of the assessments and instruction, the student is to be
23 provided a credential to inform prospective employers that he
24 or she has demonstrated the skills required for employment in
25 that occupation. Instruction must be Internet-based and must
26 be designed to address specific skill deficiencies identified
27 in the assessment. Instructors must be able to revise the
28 instruction for additional content or employer-identified
29 needs.

30 (2) The Ready to Work Initiative shall be conducted in
31 public schools, community colleges, area technical centers,

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one-stop career centers, vocational rehabilitation centers,
and Department of Juvenile Justice programs and may be made
available to other entities that provide job training. The
Department of Education shall establish institutional
readiness criteria for program implementation and shall
coordinate with the Agency for Workforce Innovation to
implement the initiative, with full implementation in fiscal
year 2008-2009.

Section 3. Subsection (8) is added to section 11.90,
 Florida Statutes, to read:

11.90 Legislative Budget Commission.--

(8) The commission shall review the proposed state
plans of the State Board of Education and the Commissioner of
Education which are required under federal law before those
plans are submitted.

Section 4. Paragraph (f) is added to subsection (3) of
 section 20.15, Florida Statutes, to read:

20.15 Department of Education.--There is created a
 Department of Education.

(3) DIVISIONS.--The following divisions of the
 Department of Education are established:

(f) Division of Accountability, Research, and
Measurement.

Section 5. Section 446.609, Florida Statutes, is
repealed.

Section 6. Subsection (4) of section 1000.03, Florida
 Statutes, is amended to read:

1000.03 Function, mission, and goals of the Florida
 K-20 education system.--

(4) The mission of Florida's K-20 education system is
 to allow its students to increase their proficiency by

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1 allowing them the opportunity to expand their knowledge and
2 skills through rigorous and relevant ~~adequate~~ learning
3 opportunities, in accordance with the mission statement and
4 accountability requirements of s. 1008.31.

5 Section 7. Section 1000.041, Florida Statutes, is
6 repealed.

7 Section 8. Paragraph (g) of subsection (2) of section
8 1001.02, Florida Statutes, is amended to read:

9 1001.02 General powers of State Board of Education.--

10 (2) The State Board of Education has the following
11 duties:

12 (g) To approve plans for cooperating with the Federal
13 Government. Upon the 2007 reauthorization of the federal No
14 Child Left Behind Act of 2001, the Commissioner of Education
15 shall seek public input and secure legislative approval,
16 pursuant to s. 11.90(8), of the revised state plan prior to
17 submission.

18 Section 9. Subsections (1) and (14) of section
19 1001.03, Florida Statutes, are amended to read:

20 1001.03 Specific powers of State Board of Education.--

21 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The
22 State Board of Education shall approve the student performance
23 standards known as the Sunshine State Standards in key
24 academic subject areas and grade levels. The state board shall
25 establish a schedule to facilitate the periodic review of the
26 standards to ensure adequate rigor, relevance, logical student
27 progression, and integration of reading, writing, and
28 mathematics across all subject areas. The standards review by
29 subject area must include participation of curriculum leaders
30 in other content areas, including the arts, to ensure valid
31 content area integration and to address the instructional

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1 requirements of different learning styles. The process for
2 review and proposed revisions must include leadership and
3 input from the state's classroom teachers, school
4 administrators, and community colleges and universities, and
5 from representatives from business and industry who are
6 identified by local education foundations. A report including
7 proposed revisions must be submitted to the Governor, the
8 President of the Senate, and the Speaker of the House of
9 Representatives annually to coincide with the established
10 review schedule.

11 (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
12 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.--The State Board of
13 Education shall maintain ~~recommend to the Legislature by~~
14 ~~February 1, 2003,~~ a uniform classification system for school
15 district administrative and management personnel that will
16 facilitate the uniform coding of administrative and management
17 personnel to total district employees.

18 Section 10. Subsection (8) of section 1001.10, Florida
19 Statutes, is amended to read:

20 1001.10 Commissioner of Education; general powers and
21 duties.--The Commissioner of Education is the chief
22 educational officer of the state, and is responsible for
23 giving full assistance to the State Board of Education in
24 enforcing compliance with the mission and goals of the
25 seamless K-20 education system. To facilitate innovative
26 practices and to allow local selection of educational methods,
27 the State Board of Education may authorize the commissioner to
28 waive, upon the request of a district school board, State
29 Board of Education rules that relate to district school
30 instruction and school operations, except those rules
31 pertaining to civil rights, and student health, safety, and

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1 welfare. The Commissioner of Education is not authorized to
2 grant waivers for any provisions in rule pertaining to the
3 allocation and appropriation of state and local funds for
4 public education; the election, compensation, and organization
5 of school board members and superintendents; graduation and
6 state accountability standards; financial reporting
7 requirements; reporting of out-of-field teaching assignments
8 under s. 1012.42; public meetings; public records; or due
9 process hearings governed by chapter 120. No later than
10 January 1 of each year, the commissioner shall report to the
11 Legislature and the State Board of Education all approved
12 waiver requests in the preceding year. Additionally, the
13 commissioner has the following general powers and duties:

14 (8) To develop and implement a plan for cooperating
15 with the Federal Government in carrying out any or all phases
16 of the educational program and to recommend policies for
17 administering funds that are appropriated by Congress and
18 apportioned to the state for any or all educational purposes.
19 Upon the 2007 reauthorization of the federal No Child Left
20 Behind Act of 2001, the Commissioner of Education shall seek
21 public input and secure legislative approval, pursuant to s.
22 11.90(8), of the revised state plan prior to submission.

23
24 The commissioner's office shall operate all statewide
25 functions necessary to support the State Board of Education
26 and the K-20 education system, including strategic planning
27 and budget development, general administration, and assessment
28 and accountability.

29 Section 11. Section 1001.215, Florida Statutes, is
30 created to read:

31 1001.215 Just Read, Florida! Office.--There is created

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1 in the Department of Education the Just Read, Florida! office.
 2 The office shall be fully accountable to the Commissioner of
 3 Education and shall:
 4 (1) Train highly effective reading coaches.
 5 (2) Create multiple designations of effective reading
 6 instruction, with accompanying credentials, which encourage
 7 all teachers to integrate reading instruction into their
 8 content areas.
 9 (3) Train K-12 teachers, school principals, and
 10 parents on research-based reading instructional strategies and
 11 secondary teachers on effective instructional strategies for
 12 teaching reading in the content areas with an emphasis on
 13 technical text.
 14 (4) Provide technical assistance to school districts
 15 in the development and implementation of district plans for
 16 use of the research-based reading instruction allocation
 17 provided in s. 1011.62(8) and annually review and approve such
 18 plans.
 19 (5) Review, evaluate, and provide technical assistance
 20 to school districts' implementation of the K-12 comprehensive
 21 reading plan required in s. 1011.62(8).
 22 (6) Work with the Florida Center for Reading Research
 23 to provide information on research-based reading programs and
 24 effective reading in the content area strategies.
 25 (7) Periodically review the Sunshine State Standards
 26 for reading at all grade levels.
 27 (8) Periodically review teacher certification
 28 examinations, including alternative certification exams, to
 29 ascertain whether the examinations measure the skills needed
 30 for research-based reading instruction and instructional
 31 strategies for teaching reading in the content areas.

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1 (9) Work with teacher preparation programs approved
2 pursuant to s. 1004.04 to integrate research-based reading
3 instructional strategies and reading in the content area
4 instructional strategies into teacher preparation programs.

5 (10) Administer grants and perform other functions as
6 necessary to meet the goal that all students read at grade
7 level.

8 Section 12. Section 1001.33, Florida Statutes, is
9 amended to read:

10 1001.33 Schools under control of district school board
11 and district school superintendent.--

12 ~~(1) Except as otherwise provided by law, all public~~
13 ~~schools conducted within the district shall be under the~~
14 ~~direction and control of the district school board with the~~
15 ~~district school superintendent as executive officer.~~

16 ~~(2) Each district school board, each district school~~
17 ~~superintendent, and each district and school-based~~
18 ~~administrator shall cooperate to apply the following guiding~~
19 ~~principles of Better Educated Students and Teachers (BEST)~~
20 ~~Florida Teaching:~~

21 ~~(a) Teachers lead, students learn.~~

22 ~~(b) Teachers maintain orderly, disciplined classrooms~~
23 ~~conducive to student learning.~~

24 ~~(c) Teachers are trained, recruited, well compensated,~~
25 ~~and retained for quality.~~

26 ~~(d) Teachers are well rewarded for their students'~~
27 ~~high performance.~~

28 ~~(e) Teachers are most effective when served by~~
29 ~~exemplary school administrators.~~

30 Section 13. Subsection (3) of section 1001.41, Florida
31 Statutes, is amended to read:

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1 1001.41 General powers of district school board.--The
2 district school board, after considering recommendations
3 submitted by the district school superintendent, shall
4 exercise the following general powers:

5 (3) Prescribe and adopt standards and policies to
6 provide each student the opportunity to receive a complete
7 education program, including language arts, mathematics,
8 science, social studies, health, physical education, foreign
9 languages, and the arts, as defined by the Sunshine State
10 Standards. The standards and policies must emphasize
11 integration and reinforcement of reading, writing, and
12 mathematics skills across all subjects, including career
13 awareness, career exploration, and career and technical
14 education ~~as are considered desirable by it for improving the~~
15 ~~district school system.~~

16 Section 14. Paragraph (c) of subsection (5) of section
17 1001.42, Florida Statutes, is repealed, and subsection (16) of
18 that section is amended, to read:

19 1001.42 Powers and duties of district school
20 board.--The district school board, acting as a board, shall
21 exercise all powers and perform all duties listed below:

22 (5) PERSONNEL.--

23 ~~(c) Fully support and cooperate in the application of~~
24 ~~the guiding principles of Better Educated Students and~~
25 ~~Teachers (BEST) Florida Teaching, pursuant to s. 1000.041.~~

26 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
27 ACCOUNTABILITY.--Maintain a system of school improvement and
28 education accountability as provided by statute and State
29 Board of Education rule. This system of school improvement and
30 education accountability shall be consistent with, and
31 implemented through, the district's continuing system of

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1 planning and budgeting required by this section and ss.
2 1008.385, 1010.01, and 1011.01. This system of school
3 improvement and education accountability shall include, but is
4 not limited to, the following:

5 (a) School improvement plans.--Annually approve and
6 require implementation of a new, amended, or continuation
7 school improvement plan for each school in the district.
8 ~~except that~~ A district school board may establish a district
9 school improvement plan that includes all schools in the
10 district operating for the purpose of providing educational
11 services to youth in Department of Juvenile Justice programs.
12 Such plan shall be designed to achieve the state education
13 priorities pursuant to s. 1000.03(5) and student performance
14 standards. Each plan must emphasize budget allocations and
15 professional development based on an analysis of student
16 achievement and other school performance data and must
17 include:

18 1. Professional development that supports enhanced and
19 differentiated instructional strategies to improve teaching
20 and learning.

21 2. Continuous use of disaggregated student achievement
22 data to determine effectiveness of instructional strategies.

23 3. Ongoing informal and formal assessments to monitor
24 individual student progress, including progress toward mastery
25 of the Sunshine State Standards, and to redesign instruction
26 if needed.

27 4. Alternative instructional delivery methods to
28 support remediation, acceleration, and enrichment strategies.

29
30 District school boards shall require schools to address other
31 matters of resource allocation as appropriate, such as

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1 instructional materials and technologies that enhance teaching
2 and learning, staffing, student support services, school
3 safety and discipline strategies, student health and fitness,
4 and parental involvement. ~~In addition, any school required to~~
5 ~~implement a rigorous reading requirement pursuant to s.~~
6 ~~1003.415 must include such component in its school improvement~~
7 ~~plan. Each plan shall also address issues relative to budget,~~
8 ~~training, instructional materials, technology, staffing,~~
9 ~~student support services, specific school safety and~~
10 ~~discipline strategies, student health and fitness, including~~
11 ~~physical fitness, parental information on student health and~~
12 ~~fitness, and indoor environmental air quality, and other~~
13 ~~matters of resource allocation, as determined by district~~
14 ~~school board policy, and shall be based on an analysis of~~
15 ~~student achievement and other school performance data.~~

16 (b) Approval process.--Develop a process for approval
17 of a school improvement plan presented by an individual school
18 and its advisory council. In the event a district school board
19 does not approve a school improvement plan after exhausting
20 this process, the Department of Education shall be notified of
21 the need for assistance.

22 (c) Assistance and intervention.--

23 1. Develop a 2-year plan of increasing individualized
24 assistance and intervention for each school in danger of not
25 meeting state standards or making adequate progress, as
26 defined pursuant to statute and State Board of Education rule,
27 toward meeting the goals and standards of its approved school
28 improvement plan.

29 2. Provide assistance and intervention to a school
30 that is designated with a ~~identified as being in performance~~
31 grade of ~~category~~ "D" pursuant to s. 1008.34 and is in danger

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1 of failing.

2 3. Develop a plan to encourage teachers with
3 demonstrated mastery in improving student performance to
4 remain at or transfer to a school with a ~~designated as~~
5 ~~performance~~ grade of ~~category~~ "D" or "F" or to an alternative
6 school that serves disruptive or violent youths. If a
7 classroom teacher, as defined by s. 1012.01(2)(a), who meets
8 the definition of teaching mastery developed according to the
9 provisions of this paragraph, requests assignment to a school
10 designated with a ~~as performance~~ grade of ~~category~~ "D" or "F"
11 or to an alternative school that serves disruptive or violent
12 youths, the district school board shall make every practical
13 effort to grant the request.

14 4. Prioritize, to the extent possible, the
15 expenditures of funds received from the supplemental academic
16 instruction categorical fund under s. 1011.62(1)(f) to improve
17 student performance in schools that receive a ~~performance~~
18 grade ~~category designation~~ of "D" or "F."

19 (d) After 2 years.--Notify the Commissioner of
20 Education and the State Board of Education in the event any
21 school does not make adequate progress toward meeting the
22 goals and standards of a school improvement plan by the end of
23 2 years of failing to make adequate progress and proceed
24 according to guidelines developed pursuant to statute and
25 State Board of Education rule. School districts shall provide
26 intervention and assistance to schools in danger of being
27 designated with a ~~as performance~~ grade of ~~category~~ "F,"
28 failing to make adequate progress.

29 (e) Public disclosure.--Provide information regarding
30 performance of students and educational programs as required
31 pursuant to ss. 1008.22 and 1008.385 and implement a system of

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1 school reports as required by statute and State Board of
2 Education rule that shall include schools operating for the
3 purpose of providing educational services to youth in
4 Department of Juvenile Justice programs, and for those
5 schools, report on the elements specified in s. 1003.52(19).
6 Annual public disclosure reports shall be in an easy-to-read
7 report card format and shall include the school's ~~student and~~
8 ~~school performance~~ grade, high school graduation rate
9 calculated without GED tests, disaggregated by student
10 ethnicity, category designation and performance data as
11 specified in state board rule.

12 (f) School improvement funds.--Provide funds to
13 schools for developing and implementing school improvement
14 plans. Such funds shall include those funds appropriated for
15 the purpose of school improvement pursuant to s. 24.121(5)(c).

16 Section 15. Subsection (24) of section 1001.51,
17 Florida Statutes, is repealed.

18 Section 16. Paragraphs (c) and (d) of subsection (1)
19 and subsection (2) of section 1001.54, Florida Statutes, are
20 amended to read:

21 1001.54 Duties of school principals.--

22 (1)

23 ~~(c) The school principal shall encourage school~~
24 ~~personnel to implement the guiding principles for Better~~
25 ~~Educated Students and Teachers (BEST) Florida Teaching,~~
26 ~~pursuant to s. 1000.041.~~

27 ~~(c)(d)~~ The school principal shall fully support the
28 authority of each teacher and school bus driver to remove
29 disobedient, disrespectful, violent, abusive, uncontrollable,
30 or disruptive students from the classroom and the school bus
31 and, when appropriate and available, place such students in an

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1 alternative educational setting.

2 (2) Each school principal shall provide instructional
3 leadership in the development, ~~or~~ revision, and implementation
4 of a school improvement plan, pursuant to s. 1001.42(16).

5 Section 17. Paragraph (b) of subsection (3) and
6 subsection (4) of section 1003.01, Florida Statutes, are
7 amended to read:

8 1003.01 Definitions.--As used in this chapter, the
9 term:

10 (3)

11 (b) "Special education services" means specially
12 designed instruction and such related services as are
13 necessary for an exceptional student to benefit from
14 education. Such services may include: transportation;
15 diagnostic and evaluation services; social services; physical
16 and occupational therapy; speech and language pathology
17 services; job placement; orientation and mobility training;
18 braillists, typists, and readers for the blind; interpreters
19 and auditory amplification; rehabilitation counseling;
20 transition services; mental health services; guidance and
21 career counseling; specified materials, assistive technology
22 devices, and other specialized equipment; and other such
23 services as approved by rules of the state board.

24 (4) "Career education" means education that provides
25 instruction for the following purposes:

26 (a) At the elementary, middle, and high ~~secondary~~
27 school levels, exploratory courses designed to give students
28 initial exposure to a broad range of occupations to assist
29 them in preparing their academic and occupational plans, and
30 practical arts courses that provide generic skills that may
31 apply to many occupations but are not designed to prepare

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students for entry into a specific occupation. Career education provided before high school completion must be designed to strengthen ~~enhance~~ both occupational awareness and academic skills integrated throughout all ~~through integration with~~ academic instruction.

(b) At the secondary school level, job-preparatory instruction in the competencies that prepare students for effective entry into an occupation, including diversified cooperative education, work experience, and job-entry programs that coordinate directed study and on-the-job training.

(c) At the postsecondary education level, courses of study that provide competencies needed for entry into specific occupations or for advancement within an occupation.

Section 18. Subsection (3) of section 1003.05, Florida Statutes, is amended to read:

1003.05 Assistance to transitioning students from military families.--

(3) Dependent children of active duty military personnel who otherwise meet the eligibility criteria for special academic programs offered through public schools shall be given first preference for admission to such programs even if the program is being offered through a public school other than the school to which the student would generally be assigned ~~and the school at which the program is being offered has reached its maximum enrollment~~. If such a program is offered through a public school other than the school to which the student would generally be assigned, the parent or guardian of the student must assume responsibility for transporting the student to that school. For purposes of this subsection, special academic programs include ~~charter schools,~~ magnet schools, advanced studies programs, advanced placement,

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1 dual enrollment, Advanced International Certificate of
2 Education, and International Baccalaureate.

3 Section 19. Paragraph (c) of subsection (1) of section
4 1003.21, Florida Statutes, is amended to read:

5 1003.21 School attendance.--

6 (1)

7 (c) A student who attains the age of 16 years during
8 the school year is not subject to compulsory school attendance
9 beyond the date upon which he or she attains that age if the
10 student files a formal declaration of intent to terminate
11 school enrollment with the district school board. The
12 declaration must acknowledge that terminating school
13 enrollment is likely to reduce the student's earning potential
14 and must be signed by the student and the student's parent.
15 The school district must notify the student's parent of
16 receipt of the student's declaration of intent to terminate
17 school enrollment. The student's guidance counselor or other
18 school personnel must conduct an exit interview with the
19 student to determine the reasons for the student's decision to
20 terminate school enrollment and actions that could be taken to
21 keep the student in school. The student must be informed of
22 opportunities to continue his or her education in a different
23 environment, including, but not limited to, adult education
24 and GED test preparation. Additionally, the student must
25 complete a survey in a format prescribed by the Department of
26 Education to provide data on student reasons for terminating
27 enrollment and actions taken by schools to keep students
28 enrolled.

29 Section 20. Section 1003.415, Florida Statutes, is
30 amended to read:

31 1003.415 The Florida Secondary Schools Redesign Middle

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1 ~~Grades Reform Act.--~~

2 (1) SHORT TITLE ~~POPULAR NAME~~--This section may be
3 cited as ~~shall be known by the popular name~~ the "Florida
4 Secondary Schools Redesign ~~Middle Grades Reform Act.~~"

5 (2) PURPOSE AND INTENT--The purpose of this section
6 is to provide added academic focus, ~~and~~ rigor, relevance, and
7 opportunity for relationships ~~to academics~~ in the secondary
8 middle grades. Using integrated reading instruction as the
9 foundation, all secondary ~~middle-grade~~ students shall ~~should~~
10 receive rigorous academic instruction through challenging and
11 relevant curricula delivered by highly qualified teachers in
12 schools that have ~~with~~ outstanding principal leadership and,
13 ~~which schools~~ are supported by engaged and informed parents
14 and business partners. It is the intent of the Legislature
15 that students entering 9th ~~promoted from the eighth~~ grade will
16 be prepared ~~ready~~ for success in high school and that students
17 graduating from high school will be prepared for postsecondary
18 education and the workforce.

19 (3) DEFINITION--As used in this section, the term
20 "secondary schools ~~middle grades~~" means grades 6 through 12,
21 ~~7, and 8.~~

22 (4) REDESIGN COMPONENT--Beginning with the 2006-2007
23 school year, each district school board shall adopt policies
24 to provide support for all secondary schools to develop a
25 redesign component of the school improvement plan pursuant to
26 s. 1001.42(16). The primary goal of the redesign component is
27 to increase student engagement and achievement through
28 enhanced instructional opportunities that stress rigor,
29 relevance, and relationships; to encourage students to remain
30 in school and graduate on time; and to prepare students for
31 postsecondary education and the world of work. Each secondary

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1 school's redesign component of the school improvement plan
2 must include a timeline, a comprehensive professional
3 development plan, and designation of the responsibilities of
4 teachers, administrators, parents, students, the business
5 community, and district staff. The secondary school redesign
6 component must be aligned to district professional development
7 plans pursuant to s. 1012.98(4)(b).

8 (a) The middle school redesign component must be based
9 on a sound and strategic preparation for high school success
10 and include the following:

11 1. Instructional strategies to increase rigor and
12 relevance throughout the curriculum to prepare middle school
13 students for rigorous high school courses, postsecondary
14 studies, and the world of work;

15 2. Instructional strategies to increase annually the
16 percentage of students enrolled in and successfully completing
17 algebra. Middle schools must provide at least one high school
18 course with priority given to algebra;

19 3. Integration of reading strategies in all content
20 areas, including the use of technical and informational text;

21 4. Comprehensive career exploration, which results in
22 the development of individual 4- to 5-year academic plans for
23 every student by the end of grade 8 pursuant to s. 1006.02.

24 The redesign component must include strategies for all
25 students to complete comprehensive career exploration
26 frameworks either through a stand-alone course or integrated
27 into other courses;

28 5. Organizational strategies as specified in s.
29 1003.02(4) which include small-group advisement, small
30 learning communities, or similar models to ensure enhanced
31 adult relationships for every student to support and sustain

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1 rigorous and relevant academics;

2 6. Intensive remediation strategies to close skill
3 gaps, including summer academies;

4 7. Organizational strategies to encourage common
5 planning time and professional learning communities for
6 instructional and administrative staff;

7 8. Strategies to increase continuous monitoring of
8 student achievement using data and data analysis; and

9 9. Strategies to communicate redesign plans with
10 feeder pattern high schools in order to obtain input and
11 feedback and ensure continuous improvement of academic
12 achievement for all students.

13 (b) The high school redesign component must be based
14 on a sound and strategic preparation for postsecondary
15 education and the workforce and include the following:

16 1. Instructional strategies to increase rigor and
17 relevance throughout the curriculum to prepare high school
18 students for rigorous postsecondary studies and the demands of
19 the workplace;

20 2. Instructional strategies to increase annually the
21 percentage of students enrolled in and successful in
22 higher-level math courses, including algebra II and above;

23 3. Integration of reading strategies in all content
24 areas, including the use of technical and informational text;

25 4. Use and refinement of individual student 4- to
26 5-year academic and career plans as the basis for course
27 selection and enrollment pursuant to s. 1006.02;

28 5. Organizational strategies as specified in s.
29 1003.02(4) which include small group advisement, small
30 learning communities, or similar models to ensure enhanced
31 adult relationships with every student to support and sustain

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1 rigorous and relevant academics;

2 6. Intensive remediation strategies to close skill
3 gaps, including summer academies;

4 7. Organizational strategies to encourage common
5 planning time and professional learning communities for
6 instructional and administrative staff;

7 8. Strategies to develop and refine 9th grade
8 academies to ensure successful transition to high school,
9 student engagement in rigorous coursework, and preparation for
10 postsecondary education and the workforce pursuant to s.
11 1006.02;

12 9. Strategies to share redesign plans with feeder
13 pattern middle schools in order to obtain input and feedback
14 and ensure continuous improvement of academic achievement for
15 all students;

16 10. Strategies to transform the senior year to enhance
17 student transition to postsecondary school and the workforce;
18 and

19 11. Strategies for developing or enhancing existing
20 career academies, pursuant to s. 1003.493.

21 (5) PERSONALIZED ACADEMIC AND CAREER PLANS.--

22 (a) Beginning with the 2006-2007 school year, each
23 middle school shall begin development of personalized academic
24 and career plans based on a comprehensive career exploration
25 course. Beginning with the 2007-2008 school year, personalized
26 academic and career plans shall be developed by the end of
27 grade 8 as a collaborative effort between the student and the
28 student's teachers, teacher advisors, guidance counselors, and
29 parents. The purpose of the plan is to provide each student
30 with a 4- to 5-year plan prior to 9th grade based on
31 individual aspirations and goals for postsecondary education

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1 and possible careers. The plan shall be developed and refined
2 yearly in collaboration with the student and his or her
3 parent, teachers, teacher advisors, and guidance staff, and
4 shall be focused on rigorous coursework that is aligned to the
5 student's plans for postsecondary education or the workforce,
6 or both.

7 (b) For secondary students who score below Level 3 in
8 reading or math on the most recently administered FCAT, the
9 personalized academic and career plan must also include a
10 provision for instructional assistance which includes
11 identification of the student's strengths and weaknesses,
12 intervention strategies, and continuous monitoring of the
13 student's progress in academic performance.

14 (c) The personalized academic and career plan must be
15 seamlessly incorporated into individual student plans required
16 by federal or state law.

17 (d) The Department of Education, with input from
18 school-based instructional leaders, shall post on the
19 department's website by December 1, 2006, a model 4- to 5-year
20 personalized academic and career plan consistent with and
21 transitional to the electronic Personal Education Planner.

22 ~~(4) CURRICULA AND COURSES. The Department of~~
23 ~~Education shall review course offerings, teacher~~
24 ~~qualifications, instructional materials, and teaching~~
25 ~~practices used in reading and language arts programs in the~~
26 ~~middle grades. The department must consult with the Florida~~
27 ~~Center for Reading Research at Florida State University, the~~
28 ~~Just Read, Florida! Office, reading researchers, reading~~
29 ~~specialists, and district supervisors of curriculum in the~~
30 ~~development of findings and recommendations. The Commissioner~~
31 ~~of Education shall make recommendations to the State Board of~~

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~~Education regarding changes to reading and language arts curricula in the middle grades based on research-based proven effective programs. The State Board of Education shall adopt rules based upon the commissioner's recommendations no later than March 1, 2005. Implementation of new or revised reading and language arts courses in all middle grades shall be phased in beginning no later than the 2005-2006 school year with completion no later than the 2008-2009 school year.~~

~~(5) RIGOROUS READING REQUIREMENT.~~

~~(a) Beginning with the 2004-2005 school year, each public school serving middle grade students, including charter schools, with fewer than 75 percent of its students reading at or above grade level in grade 6, grade 7, or grade 8 as measured by a student scoring at Level 3 or above on the FCAT during the prior school year, must incorporate by October 1 a rigorous reading requirement for reading and language arts programs as the primary component of its school improvement plan. The department shall annually provide to each district school board by June 30 a list of its schools that are required to incorporate a rigorous reading requirement as the primary component of the school's improvement plan. The department shall provide technical assistance to school districts and school administrators required to implement the rigorous reading requirement. The department shall annually provide to each district school board by June 30 a list of its schools that are required to incorporate a rigorous reading requirement as the primary component of the school's improvement plan. The department shall provide technical assistance to school districts and school administrators required to implement the rigorous reading requirement.~~

~~(b) The purpose of the rigorous reading requirement is~~

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1 ~~to assist each student who is not reading at or above grade~~
 2 ~~level to do so before entering high school. The rigorous~~
 3 ~~reading requirement must include for a middle school's~~
 4 ~~low performing student population specific areas that address~~
 5 ~~phonemic awareness, phonics, fluency, comprehension, and~~
 6 ~~vocabulary; the desired levels of performance in those areas;~~
 7 ~~and the instructional and support services to be provided to~~
 8 ~~meet the desired levels of performance. The school shall use~~
 9 ~~research-based reading activities that have been shown to be~~
 10 ~~successful in teaching reading to low performing students.~~

11 ~~(c) Schools required to implement the rigorous reading~~
 12 ~~requirement must provide quarterly reports to the district~~
 13 ~~school superintendent on the progress of students toward~~
 14 ~~increased reading achievement.~~

15 ~~(d) The results of implementation of a school's~~
 16 ~~rigorous reading requirement shall be used as part of the~~
 17 ~~annual evaluation of the school's instructional personnel and~~
 18 ~~school administrators as required in s. 1012.34.~~

19 ~~(6) COMPREHENSIVE REFORM STUDY ON THE ACADEMIC~~
 20 ~~PERFORMANCE OF STUDENTS AND SCHOOLS.--~~

21 ~~(a) The department shall conduct a study on how the~~
 22 ~~overall academic performance of middle grade students and~~
 23 ~~schools can be improved. The department must consult with the~~
 24 ~~Florida Center for Reading Research at Florida State~~
 25 ~~University, the Just Read, Florida! Office, and key education~~
 26 ~~stakeholders, including district school board members,~~
 27 ~~district school superintendents, principals, parents,~~
 28 ~~teachers, district supervisors of curriculum, and students~~
 29 ~~across the state, in the development of its findings and~~
 30 ~~recommendations. The department shall review, at a minimum,~~
 31 ~~each of the following elements:~~

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- 1 ~~1. Academic expectations, which include, but are not~~
- 2 ~~limited to:~~
- 3 ~~a. Alignment of middle school expectations with~~
- 4 ~~elementary and high school graduation requirements.~~
- 5 ~~b. Best practices to improve reading and language arts~~
- 6 ~~courses based on research-based programs for middle school~~
- 7 ~~students in alignment with the Sunshine State Standards.~~
- 8 ~~c. Strategies that focus on improving academic success~~
- 9 ~~for low-performing students.~~
- 10 ~~d. Rigor of curricula and courses.~~
- 11 ~~e. Instructional materials.~~
- 12 ~~f. Course enrollment by middle school students.~~
- 13 ~~g. Student support services.~~
- 14 ~~h. Measurement and reporting of student achievement.~~
- 15 ~~2. Attendance policies and student mobility issues.~~
- 16 ~~3. Teacher quality, which includes, but is not limited~~
- 17 ~~to:~~
- 18 ~~a. Preparedness of teachers to teach rigorous courses~~
- 19 ~~to middle school students.~~
- 20 ~~b. Teacher evaluations.~~
- 21 ~~c. Substitute teachers.~~
- 22 ~~d. Certification and recertification requirements.~~
- 23 ~~e. Staff development requirements.~~
- 24 ~~f. Availability of effective staff development~~
- 25 ~~training.~~
- 26 ~~g. Teacher recruitment and vacancy issues.~~
- 27 ~~h. Federal requirements for highly qualified teachers~~
- 28 ~~pursuant to the No Child Left Behind Act of 2001.~~
- 29 ~~4. Identification and availability of diagnostic~~
- 30 ~~testing.~~
- 31 ~~5. Availability of personnel and scheduling issues.~~

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1 ~~6. Middle school leadership and performance.~~

2 ~~7. Parental and community involvement.~~

3 ~~(b) By December 1, 2004, the Commissioner of Education~~
4 ~~shall submit to the President of the Senate, the Speaker of~~
5 ~~the House of Representatives, the chairs of the education~~
6 ~~committees in the Senate and the House of Representatives, and~~
7 ~~the State Board of Education recommendations to increase the~~
8 ~~academic performance of middle grade students and schools.~~

9 ~~(7) PERSONALIZED MIDDLE SCHOOL SUCCESS PLAN.~~

10 ~~(a) Beginning with the 2004-2005 school year, each~~
11 ~~principal of a school with a middle grade shall designate~~
12 ~~certified staff members at the school to develop and~~
13 ~~administer a personalized middle school success plan for each~~
14 ~~entering sixth grade student who scored below Level 3 in~~
15 ~~reading on the most recently administered FCAT. The purpose of~~
16 ~~the success plan is to assist the student in meeting state and~~
17 ~~school district expectations in academic proficiency and to~~
18 ~~prepare the student for a rigorous high school curriculum. The~~
19 ~~success plan shall be developed in collaboration with the~~
20 ~~student and his or her parent and must be implemented until~~
21 ~~the student completes the eighth grade or achieves a score at~~
22 ~~Level 3 or above in reading on the FCAT, whichever occurs~~
23 ~~first. The success plan must minimize paperwork and may be~~
24 ~~incorporated into a parent/teacher conference, included as~~
25 ~~part of a progress report or report card, included as part of~~
26 ~~a general orientation at the beginning of the school year, or~~
27 ~~provided by electronic mail or other written correspondence.~~

28 ~~(b) The personalized middle school success plan must:~~

29 ~~1. Identify educational goals and intermediate~~
30 ~~benchmarks for the student in the core curriculum areas which~~
31 ~~will prepare the student for high school.~~

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~~2. Be based upon academic performance data and an identification of the student's strengths and weaknesses.~~

~~3. Include academic intervention strategies with frequent progress monitoring.~~

~~4. Provide innovative methods to promote the student's advancement which may include, but not be limited to, flexible scheduling, tutoring, focus on core curricula, online instruction, an alternative learning environment, or other interventions that have been shown to accelerate the learning process.~~

~~(c) The personalized middle school success plan must be incorporated into any individual student plan required by federal or state law, including the academic improvement plan required in s. 1008.25, an individual education plan (IEP) for a student with disabilities, a federal 504 plan, or an ESOL plan.~~

~~(d) The Department of Education shall provide technical assistance for districts, school administrators, and instructional personnel regarding the development of personalized middle school success plans. The assistance shall include strategies and techniques designed to maximize interaction between students, parents, teachers, and other instructional and administrative staff while minimizing paperwork.~~

~~(8) STATE BOARD OF EDUCATION AUTHORITY.--~~

~~(a) The State Board of Education shall have authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.~~

~~(b) The State Board of Education shall have authority pursuant to s. 1008.32 to enforce the provisions of this section.~~

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Section 21. Section 1003.4156, Florida Statutes, is created to read:

1003.4156 General requirements for middle school promotion.--

(1) Beginning with students entering grade 6 in the 2006-2007 school year, promotion from a middle school with grades 6 through 8 requires that:

(a) A student must successfully complete academic courses as follows:

1. Three middle school or higher courses in English/language arts. These courses shall emphasize literature, composition, and technical and informational text.

2. Three middle school or higher courses in mathematics. School districts must offer at least one high school level mathematics course for which students may earn high school credit.

3. Three middle school or higher courses in social studies.

4. Three middle school or higher courses in science.

5. One course in career and education planning to be completed in 7th or 8th grade. The course may be taught by any member of the instructional staff; must include career exploration using CHOICES for the 21st Century or a comparable cost-effective program; must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org; and shall result in the completion of a personalized academic and career plan. Each student's plan must be signed by the student, the student's guidance counselor or academic advisor, and the student's parent. By January 1, 2007, the Department of Education shall develop

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course frameworks and professional development materials for the career and education planning course to be implemented as a stand-alone course or integrated into another course or courses.

(b) For each year in which a student scores at Level 1 on FCAT reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of appropriate strategies for targeting the varying instructional needs of students who are reading below grade level. Reading courses must be designed and offered pursuant to the reading instruction plan required by s. 1001.62(8).

(c) For each year in which a student scores at Level 1 on FCAT mathematics, the student must complete an intensive mathematics course the following year, which may be integrated into the student's required mathematics course. These courses are subject to approval by the department for inclusion in the Course Code Directory.

(d) Additional course requirements for middle-grades promotion shall be determined by each school district in the pupil progression plan, which may include additional academic courses, including the fine and performing arts, physical education, or career and technical education, in order to provide a complete education program as defined in s. 1001.41(3).

(2) District school boards shall establish policies to implement the requirements of this section. The policies must include procedures for placing and promoting students who enter a Florida public school at the sixth, seventh, or eighth

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1 grade from out of state or from a foreign country. The
2 policies may allow alternative methods for students to
3 demonstrate competency in the courses required by this
4 section. School districts shall emphasize alternative methods
5 for students scoring at Level 1 on FCAT Reading who have been
6 retained in elementary school. The alternatives shall include,
7 but are not limited to, opportunities for students to:

8 (a) Be promoted on time to high school.

9 (b) Be placed in programs that emphasize applied
10 integrated curricula, small learning communities, career
11 exploration, support services, alternative discipline, or
12 other strategies documented to improve student achievement.

13
14 Within 30 days after adoption, the school district's policies
15 shall be submitted to the State Board of Education for
16 approval. The school district's policies shall be
17 automatically approved unless specifically rejected by the
18 State Board of Education within 60 days after receipt.

19 (3) Students in the sixth, seventh, or eighth grade
20 who are not enrolled in schools having a middle grades
21 configuration are subject to the promotion requirements of
22 this section.

23 Section 22. Section 1003.42, Florida Statutes, is
24 amended to read:

25 1003.42 Required instruction.--

26 (1) Each district school board shall provide all
27 courses required for middle grades promotion, high school
28 graduation, and appropriate instruction designed to ensure
29 that students meet State Board of Education adopted standards
30 in the following subject areas: reading and other language
31 arts, mathematics, science, social studies, foreign languages,

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1 health and physical education, and the arts.

2 (2) Members of the instructional staff of the public
3 schools, subject to the rules of the State Board of Education
4 and the district school board, shall teach efficiently and
5 faithfully, using the books and materials required that meet
6 the highest standards for professionalism and historic
7 accuracy, following the prescribed courses of study, and
8 employing approved methods of instruction, the following:

9 (a) The history and content of the Declaration of
10 Independence, including national sovereignty, natural law,
11 self-evident truth, equality of all persons, limited
12 government, popular sovereignty, and inalienable rights of
13 life, liberty, and property, and how they form ~~it forms~~ the
14 philosophical foundation of our government.

15 (b) The history, meaning, significance, and effect of
16 the provisions of the Constitution of the United States and
17 amendments thereto, with emphasis on each of the 10 amendments
18 that make up the Bill of Rights and how the constitution
19 provides the structure of our government.

20 ~~(c)(b)~~ The arguments in support of adopting our
21 republican form of government, as they are embodied in the
22 most important of the Federalist Papers.

23 ~~(c) The essentials of the United States Constitution~~
24 ~~and how it provides the structure of our government.~~

25 (d) Flag education, including proper flag display and
26 flag salute.

27 (e) The elements of civil government, including the
28 primary functions of and interrelationships between the
29 Federal Government, the state, and its counties,
30 municipalities, school districts, and special districts.

31 (f) The history of the United States, including the

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1 period of discovery, early colonies, the War for Independence,
2 the Civil War, the expansion of the United States to its
3 present boundaries, the world wars, and the civil rights
4 movement to the present. American history shall be viewed as
5 factual, not as constructed, shall be viewed as knowable,
6 teachable, and testable, and shall be defined as the creation
7 of a new nation based largely on the universal principles
8 stated in the Declaration of Independence.

9 ~~(g)(f)~~ The history of the Holocaust (1933-1945), the
10 systematic, planned annihilation of European Jews and other
11 groups by Nazi Germany, a watershed event in the history of
12 humanity, to be taught in a manner that leads to an
13 investigation of human behavior, an understanding of the
14 ramifications of prejudice, racism, and stereotyping, and an
15 examination of what it means to be a responsible and
16 respectful person, for the purposes of encouraging tolerance
17 of diversity in a pluralistic society and for nurturing and
18 protecting democratic values and institutions.

19 ~~(h)(g)~~ The history of African Americans, including the
20 history of African peoples before the political conflicts that
21 led to the development of slavery, the passage to America, the
22 enslavement experience, abolition, and the contributions of
23 African Americans to society.

24 ~~(i)(h)~~ The elementary principles of agriculture.

25 ~~(j)(i)~~ The true effects of all alcoholic and
26 intoxicating liquors and beverages and narcotics upon the
27 human body and mind.

28 ~~(k)(j)~~ Kindness to animals.

29 ~~(l)(k)~~ The history of the state.

30 ~~(m)(l)~~ The conservation of natural resources.

31 ~~(n)(m)~~ Comprehensive health education that addresses

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1 concepts of community health; consumer health; environmental
2 health; family life, including an awareness of the benefits of
3 sexual abstinence as the expected standard and the
4 consequences of teenage pregnancy; mental and emotional
5 health; injury prevention and safety; nutrition; personal
6 health; prevention and control of disease; and substance use
7 and abuse.

8 (o)~~(m)~~ Such additional materials, subjects, courses,
9 or fields in such grades as are prescribed by law or by rules
10 of the State Board of Education and the district school board
11 in fulfilling the requirements of law.

12 (p)~~(o)~~ The study of Hispanic contributions to the
13 United States.

14 (q)~~(p)~~ The study of women's contributions to the
15 United States.

16 (r) The nature and importance of free enterprise to
17 the United States economy.

18 (s)~~(q)~~ A character-development program in the
19 elementary schools, similar to Character First or Character
20 Counts, which is secular in nature ~~and stresses such character~~
21 ~~qualities as attentiveness, patience, and initiative.~~

22 Beginning in school year 2004-2005, the character-development
23 program shall be required in kindergarten through grade 12.

24 Each district school board shall develop or adopt a curriculum
25 for the character-development program that shall be submitted
26 to the department for approval. The character-development
27 curriculum shall stress the qualities of patriotism;
28 responsibility;
29 citizenship; kindness; respect for
30 authority, life, liberty, and personal property; honesty;
31 charity; self-control; racial, ethnic, and religious
tolerance;
and cooperation.

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1 ~~(t)(r)~~ In order to encourage patriotism, the
2 sacrifices that veterans have made in serving our country and
3 protecting democratic values worldwide. Such instruction must
4 occur on or before Veterans' Day and Memorial Day. Members of
5 the instructional staff are encouraged to use the assistance
6 of local veterans when practicable.

7
8 The State Board of Education is encouraged to adopt standards
9 and pursue assessment of the requirements of this subsection.

10 (3) Any student whose parent makes written request to
11 the school principal shall be exempted from the teaching of
12 reproductive health or any disease, including HIV/AIDS, its
13 symptoms, development, and treatment. A student so exempted
14 may not be penalized by reason of that exemption. Course
15 descriptions for comprehensive health education shall not
16 interfere with the local determination of appropriate
17 curriculum which reflects local values and concerns.

18 Section 23. Section 1003.428, Florida Statutes, is
19 created to read:

20 1003.428 General requirements for high school
21 graduation; revised.--

22 (1) Except as otherwise authorized pursuant to s.
23 1003.429, beginning with students entering their first year of
24 high school in the 2007-2008 school year, graduation requires
25 the successful completion of a minimum of 24 credits or an
26 Advanced International Certificate of Education Curriculum or
27 an International Baccalaureate curriculum.

28 (2) The 24 credits may be earned through applied,
29 integrated, and combined courses approved by the Department of
30 Education and shall be distributed as follows:

31 (a) Sixteen core curriculum credits:

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1 1. Four credits in English, with major concentration
2 in composition, technical reading, and literature.

3 2. Four credits in mathematics, one of which must be
4 Algebra I, a series of courses equivalent to Algebra I, or a
5 higher-level mathematics course.

6 3. Three credits in science, two of which must have a
7 laboratory component.

8 4. Three credits in social studies as follows: one
9 credit in American history; one credit in world history;
10 one-half credit in economics; and one-half credit in American
11 government.

12 5. One credit in fine arts.

13 6. One credit in physical education.

14 (b) Eight credits in majors, minors, or electives:

15 1. Four credits in a major area of study selected by
16 the student as part of the career and education plan required
17 by s. 1003.4156. The State Board of Education shall approve
18 major areas of study. School districts may submit proposals
19 for new majors to the State Board of Education which, upon
20 approval, shall be available for use by all school districts.

21 2. Four credits in elective courses selected by the
22 student as part of the career and education plan required by
23 s. 1003.4156. These credits may be combined to allow for a
24 second major area of study pursuant to subparagraph 1.; a
25 minor area of study, or elective courses, intensive reading,
26 or mathematics intervention courses; or credit-recovery
27 courses as described in this subparagraph.

28 a. Minor areas of study are composed of three credits
29 and approved by the State Board of Education. School districts
30 may submit proposals for new minor areas of study to the State
31 Board of Education which, upon approval, shall be available

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for use by all school districts.

b. Elective courses are selected by the student in order to pursue a complete education program as described in s. 1001.41(3).

c. Intensive reading or mathematics intervention courses are based on student performance on the FCAT. These courses should be competency based and offered through innovative delivery systems, including computer-assisted instruction. School districts should use learning gains, other appropriate data, and incentives to identify and reward high-performing teachers in reading and mathematics who teach intensive-intervention courses.

(I) For each year in which a student scores at Level 1 on FCAT reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The Department of Education shall provide guidance on appropriate strategies for targeting the varying instructional needs of students who are reading below grade level. Reading courses must be designed and offered pursuant to the reading instruction plan required by s. 1001.62(8).

(II) For each year in which a student scores at Level 1 on FCAT mathematics, the student must complete an intensive mathematics course the following year. These courses are subject to approval by the Department of Education for inclusion in the Course Code Directory.

d. Credit-recovery courses are provided so that students can simultaneously earn an elective credit and the recovered credit. These courses should be competency based and

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1 offered through innovative delivery systems, including
2 computer-assisted instruction.

3 (3) District school boards shall establish policies to
4 implement the requirements of secondary school reform pursuant
5 to s. 1003.415. The policies must address each of the
6 following:

7 (a) Applied, integrated, and combined courses that
8 provide flexibility for students to enroll in creative majors
9 and minors, elective courses, and credit-recovery courses.

10 (b) Procedures for placing and promoting students who
11 enter high school from out of state or from a foreign country.
12 The policies may allow alternative methods for students to
13 demonstrate competency in the courses required by this
14 section.

15 (c) Grade forgiveness.

16 (d) Summer academies for students to receive intensive
17 intervention courses in reading and mathematics or competency
18 based credit-recovery courses. A student's participation in an
19 instructional or remediation program prior to or immediately
20 following entering grade 9 for the first time shall not affect
21 that student's classification as a first-time 9th grader for
22 reporting purposes, including calculation of graduation and
23 dropout rates.

24 (e) Strategies to support teachers' pursuit of the
25 reading endorsement and emphasize reading instruction
26 professional development for content area teachers.

27 (f) Creative and flexible alternative scheduling
28 designed to meet student needs.

29 (g) Career and education planning for students who do
30 not have a 4- to 5-year academic and career plan. Each
31 student's plan must be signed by the student, the student's

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guidance counselor or academic advisor and the student's parent.

(h) Tools for parents to regularly monitor student progress and communicate with teachers.

(i) Additional course requirements for graduation which may be determined by each school district in the student progression plan.

(4) The Department of Education shall increase the number of approved applied, integrated, and combined courses available to school districts and shall coordinate policies and assistance across the department in order to support the successful implementation of this section by school districts. Courses submitted for approval by school districts, including those that combine technical skills and academic content, must be received by the Department of Education no later than 5 months before the beginning of the school term in which such courses are planned to be offered. The State Board of Education must approve or disapprove courses no later than 3 months before the school term in which such courses are planned to be offered. The Department of Education shall present newly proposed courses to the board for approval a minimum of three times annually.

(5) The provisions of this section shall supersede any conflicting provisions of s. 1003.43.

Section 24. Section 1003.429, Florida Statutes, is amended to read:

1003.429 Accelerated high school graduation options.--

(1) Students who enter grade 9 in the 2006-2007 2004-2005 school year and thereafter may select, upon receipt of each consent required by this section, one of the following two three high school graduation options:

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1 (a) Completion of the general requirements for high
2 school graduation pursuant to s. 1003.43; or

3 (b) Completion of a 3-year standard college
4 preparatory program requiring successful completion of a
5 minimum of 18 academic credits in grades 9 through 12. At
6 least 6 of the 18 credits required for completion of this
7 program must be received in classes that are offered pursuant
8 to the International Baccalaureate Program administered by the
9 International Baccalaureate Office or the Advanced Placement
10 Program administered by the College Board ~~honors, dual~~
11 ~~enrollment, advanced placement, International Baccalaureate,~~
12 ~~Advanced International Certificate of Education, specifically~~
13 ~~listed or identified by the Department of Education as~~
14 ~~rigorous pursuant to s. 1009.531(3), or weighted by the~~
15 ~~district school board for class ranking purposes.~~ The 18
16 credits required for completion of this program shall be
17 primary requirements and shall be distributed as follows:

18 1. Four credits in English, with major concentration
19 in composition and literature;

20 2. Three credits in mathematics at the Algebra I level
21 or higher from the list of courses that qualify for state
22 university admission;

23 3. Three credits in natural science, two of which must
24 have a laboratory component;

25 4. Three credits in social sciences, which must
26 include one credit in American history, one credit in world
27 history, one-half credit in American government, and one-half
28 credit in economics;

29 5. Two credits in the same second language unless the
30 student is a native speaker of or can otherwise demonstrate
31 competency in a language other than English. If the student

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1 demonstrates competency in another language, the student may
2 replace the language requirement with two credits in other
3 academic courses; and

4 6. Three credits in electives, ~~or~~
5 ~~(c) Completion of a 3-year career preparatory program~~
6 ~~requiring successful completion of a minimum of 18 academic~~
7 ~~credits in grades 9 through 12. The 18 credits shall be~~
8 ~~primary requirements and shall be distributed as follows:~~

9 1. ~~Four credits in English, with major concentration~~
10 ~~in composition and literature;~~

11 2. ~~Three credits in mathematics, one of which must be~~
12 ~~Algebra I;~~

13 3. ~~Three credits in natural science, two of which must~~
14 ~~have a laboratory component;~~

15 4. ~~Three credits in social sciences, which must~~
16 ~~include one credit in American history, one credit in world~~
17 ~~history, one-half credit in American government, and one-half~~
18 ~~credit in economics;~~

19 5. ~~Three credits in a single vocational or career~~
20 ~~education program, three credits in career and technical~~
21 ~~certificate dual enrollment courses, or five credits in~~
22 ~~vocational or career education courses; and~~

23 6. ~~Two credits in electives unless five credits are~~
24 ~~earned pursuant to subparagraph 5.~~

25
26 Any student who selected an accelerated graduation program
27 before July 1, 2004, may continue that program, and all
28 statutory program requirements that were applicable when the
29 student made the program choice shall remain applicable to the
30 student as long as the student continues that program.

31 (2) Prior to selecting a program described in

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1 paragraph (1)(b) ~~or paragraph (1)(c)~~, a student and the
2 student's parent must meet with designated school personnel to
3 receive an explanation of the relative requirements,
4 advantages, and disadvantages of each program option, and the
5 student must also receive the written consent of the student's
6 high school principal, high school guidance counselor, and
7 parent. the following requirements must be met:

8 (a) ~~Designated school personnel shall meet with the~~
9 ~~student and student's parent to give an explanation of the~~
10 ~~relative requirements, advantages, and disadvantages of each~~
11 ~~graduation option.~~

12 (b) ~~The student shall submit to the high school~~
13 ~~principal and guidance counselor a signed parental consent to~~
14 ~~enter the 3-year accelerated graduation program.~~

15 (c) ~~The student shall have achieved at least an FCAT~~
16 ~~reading achievement level of 3, an FCAT mathematics~~
17 ~~achievement level of 3, and an FCAT Writing score of 3 on the~~
18 ~~most recent assessments taken by the student.~~

19 (3) Beginning with the 2006-2007 ~~2004-2005~~ school
20 year, each district school board shall provide each student in
21 grades 6 through 9 and their parents with information
22 concerning the 3-year and 4-year high school graduation
23 options listed in subsection (1), including the respective
24 curriculum requirements for those options, so that the
25 students and their parents may select the program
26 ~~postsecondary education or career plan~~ that best fits their
27 needs. The information must ~~shall~~ include a timeframe for
28 achieving each graduation option.

29 (4) Selection of one of the graduation options listed
30 in subsection (1) must be completed by the student prior to
31 the end of grade 9 and is exclusively up to the student and

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1 parent, subject to the requirements in subsection (2). Each
2 district school board shall establish policies for extending
3 this deadline to the end of a student's first semester of
4 grade 10 for a student who entered a Florida public school
5 after grade 9 upon transfer from a private school or another
6 state or who was prevented from choosing a graduation option
7 due to illness during grade 9. If the student and parent fail
8 to select a graduation option, the student shall be considered
9 to have selected the general requirements for high school
10 graduation pursuant to paragraph (1)(a).

11 (5) District school boards may ~~shall~~ not establish
12 requirements for the accelerated 3-year high school graduation
13 option ~~options~~ in excess of the requirements in paragraph
14 ~~paragraphs~~ (1)(b) ~~and (c)~~.

15 (6) Students pursuing the accelerated 3-year high
16 school graduation option ~~options~~ pursuant to paragraph (1)(b)
17 ~~or paragraph (1)(c)~~ are required to:

18 (a) Earn passing scores on the FCAT as defined in s.
19 1008.22(3)(c) or scores on a standardized test that are
20 concordant with passing scores on the FCAT as defined in s.
21 1008.22(9).

22 (b)1. Achieve a cumulative ~~weighted~~ grade point
23 average of 3.5 ~~3.0~~ on a 4.0 scale, or its equivalent, in the
24 courses required for the ~~college preparatory~~ accelerated
25 3-year standard college preparatory program under high school
26 ~~graduation option pursuant to paragraph (1)(b); and or~~

27 2. Receive a grade no lower than a "B" or its
28 equivalent, representing at least 3.0 points on a 4.0 scale,
29 in any course taken in connection with the accelerated 3-year
30 standard college preparatory program under paragraph (1)(b).
31 If any student participating in the accelerated 3-year

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1 standard college preparatory program does not meet this
2 requirement, the student shall be required to complete the
3 general requirements for high school graduation pursuant to s.
4 1003.43.

5 (7) A student who selects the accelerated 3-year
6 standard college preparatory graduation program may change at
7 any time to the 4-year program set forth in s. 1003.43.

8 (8) If, at the end of the 10th grade, a student is not
9 on track to meet the course, testing, grade, or
10 grade-point-average requirements of the accelerated graduation
11 option, the student shall default to the standard 4-year
12 graduation option.

13 ~~2. Achieve a cumulative weighted grade point average~~
14 ~~of 3.0 on a 4.0 scale, or its equivalent, in the courses~~
15 ~~required for the career preparatory accelerated 3-year high~~
16 ~~school graduation option pursuant to paragraph (1)(c).~~

17 ~~(c) Receive a weighted or unweighted grade that earns~~
18 ~~at least 3.0 points, or its equivalent, to earn course credit~~
19 ~~toward the 18 credits required for the college preparatory~~
20 ~~accelerated 3-year high school graduation option pursuant to~~
21 ~~paragraph (1)(b).~~

22 ~~(d) Receive a weighted or unweighted grade that earns~~
23 ~~at least 2.0 points, or its equivalent, to earn course credit~~
24 ~~toward the 18 credits required for the career preparatory~~
25 ~~accelerated 3-year high school graduation option pursuant to~~
26 ~~paragraph (1)(c).~~

27
28 ~~Weighted grades referred to in paragraphs (b), (c), and (d)~~
29 ~~shall be applied to those courses specifically listed or~~
30 ~~identified by the department as rigorous pursuant to s.~~
31 ~~1009.531(3) or weighted by the district school board for class~~

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1 ~~ranking purposes.~~

2 ~~(7) If, at the end of grade 10, a student is not on~~
3 ~~track to meet the credit, assessment, or grade point average~~
4 ~~requirements of the accelerated graduation option selected,~~
5 ~~the school shall notify the student and parent of the~~
6 ~~following:~~

7 ~~(a) The requirements that the student is not currently~~
8 ~~meeting.~~

9 ~~(b) The specific performance necessary in grade 11 for~~
10 ~~the student to meet the accelerated graduation requirements.~~

11 ~~(c) The right of the student to change to the 4-year~~
12 ~~program set forth in s. 1003.43.~~

13 ~~(8) A student who selected one of the accelerated~~
14 ~~3-year graduation options shall automatically move to the~~
15 ~~4-year program set forth in s. 1003.43 if the student:~~

16 ~~(a) Exercises his or her right to change to the 4-year~~
17 ~~program;~~

18 ~~(b) Fails to earn 5 credits by the end of grade 9 or~~
19 ~~fails to earn 11 credits by the end of grade 10;~~

20 ~~(c) Does not achieve a score of 3 or higher on the~~
21 ~~grade 10 FCAT Writing assessment; or~~

22 ~~(d) By the end of grade 11 does not meet the~~
23 ~~requirements of subsections (1) and (6).~~

24 (9) A student who meets all requirements prescribed in
25 subsections (1) and (6) shall be awarded a standard diploma in
26 a form prescribed by the State Board of Education.

27 (10) A student who seeks academic graduation honors,
28 such as being named valedictorian or salutatorian of a high
29 school graduating class, must select the option set forth in
30 paragraph (1)(a) and complete the general requirements for
31 high school graduation pursuant to s. 1003.43.

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1 Section 25. Section 1003.437, Florida Statutes, is
2 amended to read:

3 1003.437 Middle and high school grading system.--The
4 grading system and interpretation of letter grades used for
5 students in public ~~high~~ schools in grades 6-12 shall be as
6 follows:

7 (1) Grade "A" equals 90 percent through 100 percent,
8 has a grade point average value of 4, and is defined as
9 "outstanding progress."

10 (2) Grade "B" equals 80 percent through 89 percent,
11 has a grade point average value of 3, and is defined as "above
12 average progress."

13 (3) Grade "C" equals 70 percent through 79 percent,
14 has a grade point average value of 2, and is defined as
15 "average progress."

16 (4) Grade "D" equals 60 percent through 69 percent,
17 has a grade point average value of 1, and is defined as
18 "lowest acceptable progress."

19 (5) Grade "F" equals zero percent through 59 percent,
20 has a grade point average value of zero, and is defined as
21 "failure."

22 (6) Grade "I" equals zero percent, has a grade point
23 average value of zero, and is defined as "incomplete."

24

25 For the purposes of class ranking, district school boards may
26 exercise a weighted grading system pursuant to s. 1007.271.

27 Section 26. Section 1003.491, Florida Statutes, is
28 amended to read:

29 1003.491 Career education.--

30 (1) School board, superintendent, and school
31 accountability for career education within elementary and

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1 secondary schools includes, but is not limited to:

2 (a) Student exposure to a variety of careers and
3 provision of instruction to explore specific careers in
4 greater depth.

5 (b) Student awareness of available career programs and
6 the corresponding occupations into which such programs lead.

7 (c) Student development of individual academic and
8 career plans as specified in s. 1003.415(5).

9 (d) Integration of academic and career skills in the
10 secondary curriculum.

11 (e) Student preparation to enter the workforce and
12 enroll in postsecondary education without being required to
13 complete college preparatory or career preparatory
14 instruction.

15 (f) Student retention in school through high school
16 graduation.

17 (g) Career education curriculum articulation with
18 corresponding postsecondary programs in the career center or
19 community college, or both.

20 (2) A ~~No~~ school board or public school may not ~~shall~~
21 require a student to participate in any school-to-work or job
22 training program. A district school board or school may ~~shall~~
23 not require a student to meet occupational standards for grade
24 level promotion or graduation unless the student is
25 voluntarily enrolled in a job training program.

26 (3) Each district school board and superintendent
27 shall implement all components required to obtain the career
28 education certification on the high school diploma if the
29 school district chooses to offer the certification.

30 Section 27. Section 1003.493, Florida Statutes, is
31 created to read:

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1 1003.493 Career and professional academies.--

2 (1) A "career and professional academy" is a
 3 research-based program as described in subsection (3) which
 4 offers a rigorous and relevant academic curriculum with an
 5 industry and business relevant career theme offered by a
 6 public school or school district.

7 (2) The goals of career and professional academies are
 8 to:

9 (a) Increase student achievement.

10 (b) Focus on careers and postsecondary education.

11 (c) Raise student aspiration and commitment to
 12 academic achievement.

13 (3) A career and professional academy may be offered
 14 as one of the following small learning communities:

15 (a) A Career High-Skill Occupational Initiative for
 16 Career Education (CHOICE) academy, pursuant to s. 1003.494,
 17 with one career theme and created as part of an existing high
 18 school or as a school-within-a-school program. Students in the
 19 school are not required to be students in the academy.

20 (b) A comprehensive career academy, pursuant to s.
 21 1003.495, which is structured around one or more career themes
 22 and consists of one or more career academy programs.

23 (4) Each career and professional academy must:

24 (a) Provide a rigorous and relevant standards-based
 25 academic curriculum through a career-based theme with
 26 instruction relevant to the career. The curriculum must take
 27 into consideration multiple styles of student learning;
 28 promote learning by doing through application and adaptation;
 29 maximize relevance of the subject matter; enhance each
 30 student's capacity to excel; and include an emphasis on work
 31 habits and work ethics.

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1 (b) Include one or more partnerships with businesses,
2 industry, employers, economic development organizations, or
3 other appropriate partners from the local community. Such
4 partnerships must include opportunities for:

5 1. Highly skilled professionals to provide instruction
6 in their areas of expertise.

7 2. Use of state-of-the-art equipment in the
8 instructional program of the academy.

9 3. Internships, externships, and on-the-job training.

10 (c) Include one or more partnerships with public or
11 private postsecondary institutions accredited by a regional or
12 national accrediting agency recognized by the United States
13 Department of Education. The educational partner must:

14 1. Agree to articulate coursework to maximize
15 transferability of credit.

16 2. Offer a postsecondary degree, diploma, or
17 certificate in the career theme of the academy.

18 (d) Provide creative and tailored student advisement,
19 including opportunities and encouragement for parent
20 participation in career education planning, and coordination
21 with middle schools in the school district to provide career
22 counseling. The coordination with middle schools must include
23 promotion in middle school of secondary and postsecondary
24 career education programs and opportunities to participate in
25 an academy. Such promotion may take place through middle
26 school exploratory courses.

27 (e) Provide a career education certification on the
28 high school diploma pursuant to s. 1003.431.

29 (f) Provide instruction, certification, or credentials
30 in work-readiness skills, including, but not limited to,
31 communication skills, interpersonal skills, decisionmaking

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1 skills, the importance of attendance and timeliness in the
2 work environment, and work ethics.

3 (g) Establish student eligibility criteria. While
4 recognizing that rigorous academic performance will be
5 expected of all students participating in an academy, initial
6 eligibility criteria must permit opportunities for students
7 who may not yet meet the academic requirements but demonstrate
8 characteristics that may lead to success in an academy. The
9 aim of an academy should be to serve not only students who are
10 already succeeding but also students who would succeed if the
11 proper instructional and motivational opportunities were
12 provided.

13 (5) If a career and professional academy is designated
14 as a CHOICE academy under s. 1003.494 or a comprehensive
15 career academy under s. 1003.495, the career education courses
16 offered in the academy which emphasize reading, writing,
17 mathematics, and science may be considered core curricula
18 courses upon approval of the Commissioner of Education.

19 Section 28. Section 1003.494, Florida Statutes, is
20 created to read:

21 1003.494 Career High-Skill Occupational Initiative for
22 Career Education (CHOICE) academies.--

23 (1) The Department of Education shall establish a
24 Career High-Skill Occupational Initiative for Career Education
25 (CHOICE) project. The project shall consist of a competitive
26 process for selecting and designating school districts as
27 participants in the project and designating CHOICE academies
28 in schools within participating school districts.

29 (2) A CHOICE academy is a career and professional
30 academy that meets the goals and requirements specified in s.
31 1003.493 and offers a rigorous and relevant academic

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1 curriculum leading to industry-recognized certification,
2 college credit, and credit toward a high school diploma.
3 Existing career education courses may serve as a foundation
4 for the creation of a CHOICE academy.

5 (3) The purpose of a CHOICE academy shall be to:

6 (a) Draw upon ongoing partnerships between education
7 and workforce development or economic development
8 organizations to enhance the quality and opportunities for
9 career education for high school students by exposure to
10 in-demand career education as identified by such organizations
11 in the local community.

12 (b) Build upon the state system of school improvement
13 and education accountability by providing students with a
14 solid academic foundation, opportunities to obtain
15 industry-recognized certification or credentials, and
16 preparation for postsecondary educational experiences in
17 related fields.

18 (c) Focus students on completing high school
19 graduation requirements, including, but not limited to,
20 receiving passing scores on the grade 10 FCAT.

21 (d) Prepare graduating high school students to make
22 appropriate choices relative to employment and future
23 educational experiences.

24 (4) The Department of Education shall establish
25 application guidelines for an annual competitive process and
26 eligibility criteria for school district participation. A
27 school district may apply to the department for designation as
28 a CHOICE project participating district, and the department,
29 in consultation with Workforce Florida, Inc., and Enterprise
30 Florida, Inc., may designate as many school districts as it
31 deems advisable each year. Eligibility criteria for

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designation of a school district as a CHOICE project

participant shall include, but need not be limited to:

(a) The willingness and ability of associated businesses or industries to form partnerships with and support CHOICE academies.

(b) The dedication of school district resources to CHOICE academies.

(5) The Department of Education, in consultation with Workforce Florida, Inc., shall establish standards for designating specific CHOICE academies in each participating school district. The Okaloosa County School District may serve in an advisory role in the establishment of such standards. A participating school district may apply to the department for designation of a CHOICE academy within a school in the district. Eligibility criteria for such designation must include, but need not be limited to, the following:

(a) The existence of partnerships with an associated business or industry and a regional workforce board or the primary local economic development organization in the county as recognized by Enterprise Florida, Inc. The partnership of the business or industry with the CHOICE academy must be based on the connection of the business or industry with the academy's career theme and must involve future plans for improving the local economy. The business or industry partner must be consulted during the planning stages of a CHOICE academy and provide business or industry support and resources devoted to the CHOICE academy.

(b) The existence of at least one established partnership and an articulation agreement for credit with a postsecondary institution.

(c) The existence of participation opportunities for

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1 students, including students in home education programs,
2 students with disabilities, and nontraditional students.

3 (d) The existence of a plan for sustaining the CHOICE
4 academy.

5
6 The Okaloosa County School District and other school districts
7 that have received funding from Workforce Florida, Inc., for
8 the establishment of CHOICE academies prior to July 1, 2006,
9 shall receive an expedited review for CHOICE academy
10 designation by the department.

11 (6) A participating school district shall:

12 (a) Identify an appropriate location for classes.

13 (b) Ensure that a CHOICE academy is flexible enough to
14 respond both to the needs and abilities of students and to the
15 needs of associated businesses or industries.

16 (c) Redirect appropriated funding from ongoing
17 activities to a CHOICE academy.

18 (d) Plan for sustaining a CHOICE academy as an ongoing
19 program without additional funding.

20 (e) Assist in program technical support for students
21 in private schools, charter schools, or home education
22 programs.

23 (f) Allow students in private schools, charter
24 schools, or home education programs to participate in a CHOICE
25 academy through dual enrollment.

26 (7) The Department of Education shall:

27 (a) With assistance from Workforce Florida, Inc.,
28 provide technical assistance to participating school districts
29 in submitting applications for designation of specific CHOICE
30 academies located in specific schools in the school district,
31 reorganizing career education opportunities, developing CHOICE

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1 academies with career themes in areas deemed appropriate by
2 Workforce Florida, Inc., or local economic development
3 organizations, and developing funding plans.

4 (b) Approve or disapprove within 30 days a request by
5 a participating school district on behalf of a designated
6 CHOICE academy for the substitution of appropriate rigorous
7 and relevant coursework deemed critical for student success by
8 an industry for coursework required for high school
9 graduation. If the school district does not receive a response
10 to the request within 30 days, the district school board shall
11 allow the substitution according to its student progression
12 plan pursuant to s. 1003.43(1).

13 (c) Make appropriate policy decisions relative to
14 CHOICE academies when such decisions are not specifically
15 directed by law.

16 (d) Jointly with Workforce Florida, Inc., and in
17 consultation with the school districts, develop evaluation
18 criteria for CHOICE academies. Such criteria shall include
19 increased academic performance of students and schools using
20 school-level accountability data.

21 (e) Report to the State Board of Education, the
22 Governor, the President of the Senate, and the Speaker of the
23 House of Representatives by July 1 of each year on school
24 district participation in the CHOICE project, designated
25 CHOICE academies with enrollment and completion data for such
26 academies, and appropriate outcomes for students who have
27 completed a CHOICE academy program. Such outcomes may include
28 continuing educational experiences of CHOICE academy
29 graduates, business or industry satisfaction with the CHOICE
30 academies, placement of CHOICE academy graduates in
31 employment, and earnings of such graduates.

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(f) Have the authority to promote CHOICE academies and to provide planning and startup resources.

(8) Pursuant to appropriation in the General Appropriations Act, the Department of Education shall award one-time startup funds to five of the school districts designated as participants in the CHOICE project for the development of CHOICE academies. All school districts designated by the department are authorized to establish one or more CHOICE academies without incentive funds.

Section 29. Section 1003.495, Florida Statutes, is created to read:

1003.495 Comprehensive career academies.--

(1) The Department of Education shall establish a comprehensive career academy project to provide for the designation of comprehensive career academies in the school districts.

(2) A comprehensive career academy is a career and professional academy that meets the goals and requirements specified in s. 1003.493 and offers a rigorous and relevant academic curriculum that prepares students for college, careers, and productive citizenship.

(3) The Department of Education, in consultation with the school districts, shall adopt criteria for evaluation of comprehensive career academies and an assessment tool based on national standards of practice. The assessment tool must be designed so that a comprehensive career academy may use it as a self-assessment tool.

(4) Each comprehensive career academy shall perform a self-assessment using the adopted assessment tool at the end of the first year of operation and periodically thereafter as determined by the Department of Education.

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(5) A school district may request the Department of Education to conduct an assessment of a comprehensive career academy for purposes of designation by the department as a comprehensive career academy. If the department determines that an academy meets national standards of practice, the department shall designate the academy as a comprehensive career academy.

(6) The Department of Education shall approve or disapprove within 30 days a request by a school district on behalf of a designated comprehensive career academy for the substitution of appropriate rigorous and relevant coursework deemed critical for student success by an industry for coursework required for high school graduation. If the school district does not receive a response to the request within 30 days, the district school board shall allow the substitution according to its student progression plan pursuant to s. 1003.43(1).

Section 30. Subsection (1) of section 1003.43, Florida Statutes, is amended to read:

1003.43 General requirements for high school graduation.--

(1) Graduation requires successful completion of either a minimum of 24 academic credits in grades 9 through 12 or an International Baccalaureate curriculum. The 24 credits shall be distributed as follows:

(a) Four credits in English, with major concentration in composition and literature.

(b) Three credits in mathematics. Effective for students entering the 9th grade in the 1997-1998 school year and thereafter, one of these credits must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level

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1 mathematics course.

2 (c) Three credits in science, two of which must have a
3 laboratory component. Agriscience Foundations I, the core
4 course in secondary Agriscience and Natural Resources
5 programs, counts as one of the science credits.

6 (d) One credit in American history.

7 (e) One credit in world history, including a
8 comparative study of the history, doctrines, and objectives of
9 all major political systems.

10 (f) One-half credit in economics, including a
11 comparative study of the history, doctrines, and objectives of
12 all major economic systems. The Florida Council on Economic
13 Education shall provide technical assistance to the department
14 and district school boards in developing curriculum materials
15 for the study of economics.

16 (g) One-half credit in American government, including
17 study of the Constitution of the United States. For students
18 entering the 9th grade in the 1997-1998 school year and
19 thereafter, the study of Florida government, including study
20 of the State Constitution, the three branches of state
21 government, and municipal and county government, shall be
22 included as part of the required study of American government.

23 (h)1. One credit in practical arts career education or
24 exploratory career education. Any career education course as
25 defined in s. 1003.01 may be taken to satisfy the high school
26 graduation requirement for one credit in practical arts or
27 exploratory career education provided in this subparagraph;

28 2. One credit in performing fine arts to be selected
29 from music, dance, drama, painting, or sculpture. A course in
30 any art form, in addition to painting or sculpture, that
31 requires manual dexterity, or a course in speech and debate,

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1 may be taken to satisfy the high school graduation requirement
2 for one credit in performing arts pursuant to this
3 subparagraph; or

4 3. One-half credit each in practical arts career
5 education or exploratory career education and performing fine
6 arts, as defined in this paragraph.

7
8 Such credit for practical arts career education or exploratory
9 career education or for performing fine arts shall be made
10 available in the 9th grade, and students shall be scheduled
11 into a 9th grade course as a priority.

12 (i) One-half credit in life management skills to
13 include consumer education, positive emotional development,
14 marriage and relationship skill-based education, nutrition,
15 parenting skills, prevention of human immunodeficiency virus
16 infection and acquired immune deficiency syndrome and other
17 sexually transmissible diseases, benefits of sexual abstinence
18 and consequences of teenage pregnancy, information and
19 instruction on breast cancer detection and breast
20 self-examination, cardiopulmonary resuscitation, drug
21 education, and the hazards of smoking.

22 (j) One credit in physical education to include
23 assessment, improvement, and maintenance of personal fitness.
24 Participation in an interscholastic sport at the junior
25 varsity or varsity level, for two full seasons, shall satisfy
26 the one-credit requirement in physical education if the
27 student passes a competency test on personal fitness with a
28 score of "C" or better. The competency test on personal
29 fitness must be developed by the Department of Education. A
30 district school board may not require that the one credit in
31 physical education be taken during the 9th grade year.

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1 Completion of one semester with a grade of "C" or better in a
2 marching band class, in a physical activity class that
3 requires participation in marching band activities as an
4 extracurricular activity, or in a Reserve Officer Training
5 Corps (R.O.T.C.) class a significant component of which is
6 drills shall satisfy a one-half credit requirement in physical
7 education. This one-half credit may not be used to satisfy the
8 personal fitness requirement or the requirement for adaptive
9 physical education under an individual educational plan (IEP)
10 or 504 plan.

11 (k) Eight and one-half elective credits.

12

13 District school boards may award a maximum of one-half credit
14 in social studies and one-half elective credit for student
15 completion of nonpaid voluntary community or school service
16 work. Students choosing this option must complete a minimum of
17 75 hours of service in order to earn the one-half credit in
18 either category of instruction. Credit may not be earned for
19 service provided as a result of court action. District school
20 boards that approve the award of credit for student volunteer
21 service shall develop guidelines regarding the award of the
22 credit, and school principals are responsible for approving
23 specific volunteer activities. A course designated in the
24 Course Code Directory as grade 9 through grade 12 that is
25 taken below the 9th grade may be used to satisfy high school
26 graduation requirements or Florida Academic Scholars award
27 requirements as specified in a district school board's student
28 progression plan. A student shall be granted credit toward
29 meeting the requirements of this subsection for equivalent
30 courses, as identified pursuant to s. 1007.271(6), taken
31 through dual enrollment. Each district school board's student

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1 progression plan must provide for the substitution of a course
2 identified in the Course Code Directory and offered in a
3 designated CHOICE academy under s. 1003.494 or in a designated
4 comprehensive career academy under s. 1003.495 for a credit
5 requirement for graduation under this subsection. A student
6 may make such substitution for a maximum of two of the
7 academic credit requirements.

8 Section 31. Subsection (7) is added to section
9 288.9015, Florida Statutes, to read:

10 288.9015 Enterprise Florida, Inc.; purpose; duties.--

11 (7) Enterprise Florida, Inc., shall work with the
12 Department of Education and Workforce Florida, Inc., in the
13 designation of school districts as participants in the CHOICE
14 project pursuant to s. 1003.494.

15 Section 32. Paragraph (i) is added to subsection (5)
16 of section 445.004, Florida Statutes, to read:

17 445.004 Workforce Florida, Inc.; creation; purpose;
18 membership; duties and powers.--

19 (5) Workforce Florida, Inc., shall have all the powers
20 and authority, not explicitly prohibited by statute, necessary
21 or convenient to carry out and effectuate the purposes as
22 determined by statute, Pub. L. No. 105-220, and the Governor,
23 as well as its functions, duties, and responsibilities,
24 including, but not limited to, the following:

25 (i) Working with the Department of Education and
26 Enterprise Florida, Inc., in the implementation of the CHOICE
27 project pursuant to s. 1003.494.

28 Section 33. Section 1003.57, Florida Statutes, is
29 amended to read:

30 1003.57 Exceptional students instruction.--

31 (1) Each district school board shall provide for an

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1 appropriate program of special instruction, facilities, and
2 services for exceptional students as prescribed by the State
3 Board of Education as acceptable, including provisions that:

4 ~~(a)(1)~~ The district school board provide the necessary
5 professional services for diagnosis and evaluation of
6 exceptional students.

7 ~~(b)(2)~~ The district school board provide the special
8 instruction, classes, and services, either within the district
9 school system, in cooperation with other district school
10 systems, or through contractual arrangements with approved
11 private schools or community facilities that meet standards
12 established by the commissioner.

13 ~~(c)(3)~~ The district school board annually provide
14 information describing the Florida School for the Deaf and the
15 Blind and all other programs and methods of instruction
16 available to the parent of a sensory-impaired student.

17 ~~(d)(4)~~ The district school board, once every 3 years,
18 submit to the department its proposed procedures for the
19 provision of special instruction and services for exceptional
20 students.

21 ~~(e)(5)~~ A ~~no~~ student may not be given special
22 instruction or services as an exceptional student until after
23 he or she has been properly evaluated, classified, and placed
24 in the manner prescribed by rules of the State Board of
25 Education. The parent of an exceptional student evaluated and
26 placed or denied placement in a program of special education
27 shall be notified of each such evaluation and placement or
28 denial. Such notice shall contain a statement informing the
29 parent that he or she is entitled to a due process hearing on
30 the identification, evaluation, and placement, or lack
31 thereof. Such hearings shall be exempt from the provisions of

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1 ss. 120.569, 120.57, and 286.011, except to the extent that
2 the State Board of Education adopts rules establishing other
3 procedures and any records created as a result of such
4 hearings shall be confidential and exempt from the provisions
5 of s. 119.07(1). The hearing must be conducted by an
6 administrative law judge from the Division of Administrative
7 Hearings of the Department of Management Services. The
8 decision of the administrative law judge shall be final,
9 except that any party aggrieved by the finding and decision
10 rendered by the administrative law judge shall have the right
11 to bring a civil action in the circuit court. In such an
12 action, the court shall receive the records of the
13 administrative hearing and shall hear additional evidence at
14 the request of either party. In the alternative, any party
15 aggrieved by the finding and decision rendered by the
16 administrative law judge shall have the right to request an
17 impartial review of the administrative law judge's order by
18 the district court of appeal as provided by s. 120.68.
19 Notwithstanding any law to the contrary, during the pendency
20 of any proceeding conducted pursuant to this section, unless
21 the district school board and the parents otherwise agree, the
22 student shall remain in his or her then-current educational
23 assignment or, if applying for initial admission to a public
24 school, shall be assigned, with the consent of the parents, in
25 the public school program until all such proceedings have been
26 completed.

27 ~~(f)(6)~~ In providing for the education of exceptional
28 students, the district school superintendent, principals, and
29 teachers shall utilize the regular school facilities and adapt
30 them to the needs of exceptional students to the maximum
31 extent appropriate. Segregation of exceptional students shall

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1 occur only if the nature or severity of the exceptionality is
2 such that education in regular classes with the use of
3 supplementary aids and services cannot be achieved
4 satisfactorily.

5 ~~(g)(7)~~ In addition to the services agreed to in a
6 student's individual education plan, the district school
7 superintendent shall fully inform the parent of a student
8 having a physical or developmental disability of all available
9 services that are appropriate for the student's disability.
10 The superintendent shall provide the student's parent with a
11 summary of the student's rights.

12 (2)(a) An exceptional student with a disability who
13 resides in a residential facility and receives special
14 instruction or services is considered a resident of the state
15 in which the student's parent is a resident. The cost of such
16 instruction, facilities, and services for a nonresident
17 student with a disability shall be provided by the placing
18 authority in the student's state of residence, such as a
19 public school entity, other placing authority, or parent. A
20 nonresident student with a disability may not be reported by
21 any school district for FTE funding in the Florida Education
22 Finance Program.

23 (b) The Department of Education shall provide to each
24 school district a statement of the specific limitations of the
25 district's financial obligation for exceptional students with
26 disabilities under federal and state law. The department shall
27 also provide to each school district technical assistance as
28 necessary for developing a local plan to impose on a student's
29 home state the fiscal responsibility for educating a
30 nonresident exceptional student with a disability.

31 (c) The Department of Education shall develop a

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process by which a school district must, before providing services to an exceptional student with a disability who resides in a residential facility in this state, review the residency of the student. The residential facility, not the district, is responsible for billing and collecting from a nonresidential student's home state payment for the student's educational and related services.

(d) This subsection applies to any nonresident student with a disability who resides in a residential facility and who receives instruction as an exceptional student with a disability in any type of residential facility in this state, including, but not limited to, a public school, a private school, a group home facility as defined in s. 393.063, an intensive residential treatment program for children and adolescents as defined in s. 395.002, a facility as defined in s. 394.455, an intermediate care facility for the developmentally disabled or ICF/DD as defined in s. 393.063 or s. 400.960, or a community residential home as defined in s. 419.001.

Section 34. Section 1003.576, Florida Statutes, is created to read:

1003.576 Individual education plans for exceptional students.--The Department of Education shall develop an individual education plan (IEP) form for use in developing and implementing individual education plans for exceptional students. The IEP form must have a streamlined format and, to provide for the use of an existing IEP form when a student transfers from one school district to another, the IEP form developed by the department must be used in each school district in the state.

Section 35. Subsection (3) of section 1003.58, Florida

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1 Statutes, is amended to read:

2 1003.58 Students in residential care facilities.--Each
3 district school board shall provide educational programs
4 according to rules of the State Board of Education to students
5 who reside in residential care facilities operated by the
6 Department of Children and Family Services.

7 (3) The district school board shall have full and
8 complete authority in the matter of the assignment and
9 placement of such students in educational programs. The parent
10 of an exceptional student shall have the same due process
11 rights as are provided under s. 1003.57(1)(e) ~~s. 1003.57(5)~~.

12
13 Notwithstanding the provisions herein, the educational program
14 at the Marianna Sunland Center in Jackson County shall be
15 operated by the Department of Education, either directly or
16 through grants or contractual agreements with other public or
17 duly accredited educational agencies approved by the
18 Department of Education.

19 Section 36. Paragraph (a) of subsection (1) and
20 paragraph (a) of subsection (2) of section 1003.62, Florida
21 Statutes, are amended to read:

22 1003.62 Academic performance-based charter school
23 districts.--The State Board of Education may enter into a
24 performance contract with district school boards as authorized
25 in this section for the purpose of establishing them as
26 academic performance-based charter school districts. The
27 purpose of this section is to examine a new relationship
28 between the State Board of Education and district school
29 boards that will produce significant improvements in student
30 achievement, while complying with constitutional and statutory
31 requirements assigned to each entity.

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1 (1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL

2 DISTRICT.--

3 (a) A school district shall be eligible for
4 designation as an academic performance-based charter school
5 district if it is a high-performing school district in which a
6 minimum of 50 percent of the schools earn a ~~performance~~ grade
7 ~~of category~~ "A" or "B" and in which no school earns a
8 ~~performance~~ grade ~~of category~~ "D" or "F" for 2 consecutive
9 years pursuant to s. 1008.34. Schools that receive a
10 ~~performance~~ grade ~~of category~~ "I" or "N" shall not be included
11 in this calculation. The performance contract for a school
12 district that earns a charter based on school ~~performance~~
13 grades shall be predicated on maintenance of at least 50
14 percent of the schools in the school district earning a
15 ~~performance~~ grade ~~of category~~ "A" or "B" with no school in the
16 school district earning a ~~performance~~ grade ~~of category~~ "D" or
17 "F" for 2 consecutive years. A school district in which the
18 number of schools that earn a ~~performance~~ grade of "A" or "B"
19 is less than 50 percent may have its charter renewed for 1
20 year; however, if the percentage of "A" or "B" schools is less
21 than 50 percent for 2 consecutive years, the charter shall not
22 be renewed.

23 (2) EXEMPTION FROM STATUTES AND RULES.--

24 (a) An academic performance-based charter school
25 district shall operate in accordance with its charter and
26 shall be exempt from certain State Board of Education rules
27 and statutes if the State Board of Education determines such
28 an exemption will assist the district in maintaining or
29 improving its high-performing status pursuant to paragraph
30 (1)(a). However, the State Board of Education may not exempt
31 an academic performance-based charter school district from any

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1 of the following statutes:

2 1. Those statutes pertaining to the provision of
3 services to students with disabilities.

4 2. Those statutes pertaining to civil rights,
5 including s. 1000.05, relating to discrimination.

6 3. Those statutes pertaining to student health,
7 safety, and welfare.

8 4. Those statutes governing the election or
9 compensation of district school board members.

10 5. Those statutes pertaining to the student assessment
11 program and the school grading system, including chapter 1008.

12 6. Those statutes pertaining to financial matters,
13 including chapter 1010.

14 7. Those statutes pertaining to planning and
15 budgeting, including chapter 1011, except that ss. 1011.64 and
16 1011.69 shall be eligible for exemption.

17 8. Sections 1012.22(1)(c), 1012.2312, 1012.2313, and
18 1012.27(2), relating to performance-pay policies for school
19 administrators and instructional personnel. Professional
20 service contracts shall be subject to the provisions of ss.
21 1012.33 and 1012.34.

22 9. Those statutes pertaining to educational
23 facilities, including chapter 1013, except as specified under
24 contract with the State Board of Education. However, no
25 contractual provision that could have the effect of requiring
26 the appropriation of additional capital outlay funds to the
27 academic performance-based charter school district shall be
28 valid.

29 Section 37. Section 1004.64, Florida Statutes, is
30 created to read:

31 1004.64 Florida Center for Reading Research.--There is

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1 created at the Florida State University, the Florida Center
2 for Reading Research (FCRR). The center shall include two
3 outreach centers, one at a central Florida community college
4 and one at a south Florida state university. The center and
5 the outreach centers, under the center's leadership, shall:

6 (1) Provide technical assistance and support to all
7 school districts and schools in this state in the
8 implementation of evidence-based literacy instruction,
9 assessments, programs, and professional development.

10 (2) Conduct applied research that will have an
11 immediate impact on policy and practices related to literacy
12 instruction and assessment in this state with an emphasis on
13 struggling readers and reading in the content area strategies
14 and methods for secondary teachers.

15 (3) Conduct basic research on reading, reading growth,
16 reading assessment, and reading instruction which will
17 contribute to scientific knowledge about reading.

18 (4) Collaborate with the Just Read! Florida Office and
19 school districts in the development of frameworks for
20 comprehensive reading intervention courses for possible use in
21 middle schools and secondary schools.

22 (5) Collaborate with the Just Read! Florida Office and
23 school districts in the development of frameworks for
24 professional development activities, using multiple delivery
25 methods for teaching reading in the content area.

26 (6) Disseminate information about research-based
27 practices related to literacy instruction, assessment, and
28 programs for students in preschool through grade 12.

29 (7) Collect, manage, and report on assessment
30 information from screening, progress monitoring, and outcome
31 assessments through the Florida Progress Monitoring and

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Reporting Network. The network is a statewide resource that is operated to provide valid and timely reading assessment data for parents, teachers, principals, and district-level and state-level staff in the management of instruction at the individual, classroom, and school levels.

Section 38. Subsection (4) of section 1006.09, Florida Statutes, is amended to read:

1006.09 Duties of school principal relating to student discipline and school safety.--

(4) When a student has been the victim of a violent crime perpetrated by another student who attends the same school, the school principal shall make full and effective use of the provisions of subsection (2) and s. 1006.13(5). A school principal who fails to comply with this subsection shall be ineligible for any portion of the performance pay policy incentive under s. 1012.2313(2)(b) ~~s. 1012.22(1)(e)~~. However, if any party responsible for notification fails to properly notify the school, the school principal shall be eligible for the incentive.

Section 39. Section 1007.21, Florida Statutes, is amended to read:

1007.21 Readiness for postsecondary education and the workplace.--

(1) It is the intent of the Legislature that students and parents develop academic ~~set early~~ achievement and career goals for the student's post-high-school ~~post-high school~~ experience during the middle grades. ~~This section sets forth a model which schools, through their school advisory councils, may choose to implement to ensure that students are ready for postsecondary education and the workplace. If such a program is adopted, students and their parents shall have the option~~

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1 ~~of participating in this model to plan the student's secondary~~
2 ~~level course of study.~~ Parents and students are to become
3 partners with school personnel in career exploration and
4 educational decisionmaking ~~choice~~. Clear academic course
5 expectations that emphasize rigorous and relevant coursework
6 shall be made available to all students by allowing both
7 student and parent choice.

8 (2)(a) Students entering the 9th grade and their
9 parents shall have developed during the middle grades a 4- to
10 5-year academic and career plan based on postsecondary and
11 career ~~be active participants in choosing an~~
12 ~~end-of-high-school student destination based upon both student~~
13 ~~and parent~~ goals. Alternate career and academic ~~Four or more~~
14 destinations should be considered ~~available~~ with bridges
15 between destinations to enable students to shift academic and
16 career priorities if ~~destinations should~~ they choose to change
17 goals. The destinations shall accommodate the needs of
18 students served in exceptional education programs to the
19 extent appropriate for individual students. Exceptional
20 education students may continue to follow the courses outlined
21 in the district school board student progression plan.

22 ~~Participating~~ Students and their parents shall choose among
23 destinations, which must include:

- 24 1. Four-year college or university, community college
25 plus university, or military academy degree.
- 26 2. Two-year postsecondary degree.
- 27 3. Postsecondary career certificate.
- 28 4. Immediate employment or entry-level military.
- 29 5. A combination of the above.

30 (b) The student progression model toward a chosen
31 destination shall include:

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1 1. A "path" of core courses leading to each of the
2 destinations provided in paragraph (a).

3 2. A recommended group of electives which shall help
4 define each path.

5 3. Provisions for a teacher, school administrator,
6 other school staff member, or community volunteer to be
7 assigned to a student as an "academic advocate" if parental
8 involvement is lacking.

9 (c) The common placement test authorized in ss.
10 1001.03(10) and 1008.30 or a similar test may be administered
11 to all high school second semester sophomores who have chosen
12 one of the four destinations. The results of the placement
13 test shall be used to target additional instructional needs in
14 reading, writing, and mathematics prior to graduation.

15 (d) Ample opportunity shall be provided for students
16 to move from one destination to another, and some latitude
17 shall exist within each destination, to meet the individual
18 needs of students.

19 (e) Destinations specified in subparagraphs (a)1., 2.,
20 and 3. shall support the goals of the Tech Prep program.
21 Students participating in Tech Prep shall be enrolled in
22 articulated, sequential programs of study that include a
23 technical component and at least a minimum of a postsecondary
24 certificate or 2-year degree.

25 (f) In order for these destinations to be attainable,
26 the business community shall be encouraged to support
27 real-world internships and apprenticeships.

28 (g) All students shall be encouraged to take part in
29 service learning opportunities.

30 (h) High school equivalency diploma preparation
31 programs shall not be a choice for high school students

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1 leading to any of the four destinations provided in paragraph
2 (a) since the appropriate coursework, counseling component,
3 and career preparation cannot be ensured.

4 (i) Schools shall ensure that students and parents are
5 made aware of the destinations available and provide the
6 necessary coursework to assist the student in reaching the
7 chosen destination. Students and parents shall be made aware
8 of the student's progress toward the chosen destination.

9 (j) The Department of Education shall offer technical
10 assistance to school districts to ensure that the destinations
11 offered also meet the academic standards adopted by the state.

12 (3)(a) Access to Level I courses for graduation credit
13 and for pursuit of a declared destination shall be limited to
14 only those students for whom assessment indicates a more
15 rigorous course of study would be inappropriate.

16 (b) The school principal shall:

17 1. Designate a member of the existing instructional or
18 administrative staff to serve as a specialist to help
19 coordinate the use of student achievement strategies to help
20 students succeed in their coursework. The specialist shall
21 also assist teachers in integrating the academic and career
22 curricula, utilizing technology, providing feedback regarding
23 student achievement, and implementing the Blueprint for Career
24 Preparation and Tech Prep programs.

25 2. Institute strategies to eliminate reading, writing,
26 and mathematics deficiencies of secondary students.

27 Section 40. Paragraph (c) of subsection (3) of section
28 1007.2615, Florida Statutes, is amended to read:

29 1007.2615 American Sign Language; findings;
30 foreign-language credits authorized; teacher licensing.--

31 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE

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1 BOARD OF EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE
2 TEACHERS; PLAN FOR POSTSECONDARY EDUCATION PROVIDERS.--

3 (c) An ASL teacher must be certified by the Department
4 of Education by July 1, 2009 ~~January 1, 2008, and must obtain~~
5 ~~current certification through the Florida American Sign~~
6 ~~Language Teachers' Association (FASLTA) by January 1, 2006.~~
7 ~~New FASLTA certification may be used by current ASL teachers~~
8 ~~as an alternative certification track.~~

9 Section 41. Subsections (5) and (16) of section
10 1007.271, Florida Statutes, are amended to read:

11 1007.271 Dual enrollment programs.--

12 (5) Each district school board shall inform all
13 secondary students of dual enrollment as an educational option
14 and mechanism for acceleration. Students shall be informed of
15 eligibility criteria, the option for taking dual enrollment
16 courses beyond the regular school year, and the minimum
17 academic credits required for graduation. District school
18 boards shall annually assess the demand for dual enrollment
19 and other advanced courses, and the district school board
20 shall consider strategies and programs to meet that demand and
21 include access to dual enrollment on the high school campus
22 whenever possible. Alternative grade calculation, weighting
23 systems, or information regarding student education options
24 which discriminates against dual enrollment courses are
25 prohibited.

26 (16) Beginning with the 2007-2008 academic year,
27 school districts and community colleges must weigh ~~college~~
28 ~~level~~ dual enrollment courses the same as ~~honors courses and~~
29 advanced placement, International Baccalaureate, and Advanced
30 International Certificate of Education courses when grade
31 point averages are calculated. Alternative grade calculation

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1 or weighting systems that discriminate against dual enrollment
2 courses are prohibited.

3 Section 42. Paragraphs (c) and (f) of subsection (1),
4 paragraphs (c) and (e) of subsection (3), and subsection (9)
5 of section 1008.22, Florida Statutes, are amended, paragraph
6 (f) is added to subsection (3) of that section, present
7 subsection (10) of that section is redesignated as subsection
8 (11), and a new subsection (10) is added to that section, to
9 read:

10 1008.22 Student assessment program for public
11 schools.--

12 (1) PURPOSE.--The primary purposes of the student
13 assessment program are to provide information needed to
14 improve the public schools by enhancing the learning gains of
15 all students and to inform parents of the educational progress
16 of their public school children. The program must be designed
17 to:

18 (c) Identify the educational strengths and needs of
19 students and the readiness of students to be promoted to the
20 next grade level or to graduate from high school with a
21 standard or special high school diploma.

22 (f) Provide information on the performance of Florida
23 students compared with that of other students ~~others~~ across
24 the United States.

25 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
26 shall design and implement a statewide program of educational
27 assessment that provides information for the improvement of
28 the operation and management of the public schools, including
29 schools operating for the purpose of providing educational
30 services to youth in Department of Juvenile Justice programs.
31 The commissioner may enter into contracts for the continued

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1 administration of the assessment, testing, and evaluation
2 programs authorized and funded by the Legislature. Contracts
3 may be initiated in 1 fiscal year and continue into the next
4 and may be paid from the appropriations of either or both
5 fiscal years. The commissioner is authorized to negotiate for
6 the sale or lease of tests, scoring protocols, test scoring
7 services, and related materials developed pursuant to law.
8 Pursuant to the statewide assessment program, the commissioner
9 shall:

10 (c) Develop and implement a student achievement
11 testing program known as the Florida Comprehensive Assessment
12 Test (FCAT) as part of the statewide assessment program, ~~to be~~
13 ~~administered annually in grades 3 through 10~~ to measure
14 reading, writing, science, and mathematics. Other content
15 areas may be included as directed by the commissioner. The
16 assessment of reading and mathematics shall be administered
17 annually in grades 3 through 10. The assessment of writing and
18 science shall be administered at least once at the elementary,
19 middle, and high school levels. The commissioner must document
20 the procedures used to ensure that the versions of the FCAT
21 which are taken by students retaking the grade 10 FCAT are
22 equally as challenging and difficult as the tests taken by
23 students in grade 10 which contain performance tasks. The
24 testing program must be designed so that:

25 1. The tests measure student skills and competencies
26 adopted by the State Board of Education as specified in
27 paragraph (a). The tests must measure and report ~~student~~
28 proficiency levels of all students in reading, writing,
29 mathematics, and science. The commissioner shall provide for
30 the tests to be developed or obtained, as appropriate, through
31 contracts and project agreements with private vendors, public

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1 vendors, public agencies, postsecondary educational
2 institutions, or school districts. The commissioner shall
3 obtain input with respect to the design and implementation of
4 the testing program from regular and exceptional students,
5 state educators, assistive technology experts, and the public.

6 2. The testing program will include a combination of
7 norm-referenced and criterion-referenced tests and include, to
8 the extent determined by the commissioner, questions that
9 require the student to produce information or perform tasks in
10 such a way that the skills and competencies he or she uses can
11 be measured.

12 3. Each testing program, whether at the elementary,
13 middle, or high school level, includes a test of writing in
14 which students are required to produce writings that are then
15 scored by appropriate and timely methods.

16 4. A score is designated for each subject area tested,
17 below which score a student's performance is deemed
18 inadequate. The school districts shall provide appropriate
19 remedial instruction to students who score below these levels.

20 5. Except as provided in s. 1003.43(11)(b), students
21 must earn a passing score on the grade 10 assessment test
22 described in this paragraph or attain concordant scores ~~on an~~
23 ~~alternate assessment~~ as described in subsection (9) in
24 reading, writing, and mathematics to qualify for a standard
25 ~~regular~~ high school diploma. The State Board of Education
26 shall designate a passing score for each part of the grade 10
27 assessment test. In establishing passing scores, the state
28 board shall consider any possible negative impact of the test
29 on minority students. ~~All students who took the grade 10 FCAT~~
30 ~~during the 2000-2001 school year shall be required to earn the~~
31 ~~passing scores in reading and mathematics established by the~~

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1 ~~State Board of Education for the March 2001 test~~
2 ~~administration. Such students who did not earn the established~~
3 ~~passing scores and must repeat the grade 10 FCAT are required~~
4 ~~to earn the passing scores established for the March 2001 test~~
5 ~~administration. All students who take the grade 10 FCAT for~~
6 ~~the first time in March 2002 shall be required to earn the~~
7 ~~passing scores in reading and mathematics established by the~~
8 ~~State Board of Education for the March 2002 test~~
9 ~~administration.~~ The State Board of Education shall adopt rules
10 which specify the passing scores for the grade 10 FCAT. Any
11 such rules, which have the effect of raising the required
12 passing scores, shall only apply to students taking the grade
13 10 FCAT for the first time after such rules are adopted by the
14 State Board of Education.

15 6. Participation in the testing program is mandatory
16 for all students attending public school, including students
17 served in Department of Juvenile Justice programs, except as
18 otherwise prescribed by the commissioner. If a student does
19 not participate in the statewide assessment, the district must
20 notify the student's parent and provide the parent with
21 information regarding the implications of the ~~such~~
22 nonparticipation. ~~If modifications are made in the student's~~
23 ~~instruction to provide accommodations that would not be~~
24 ~~permitted on the statewide assessment tests, the district must~~
25 ~~notify the student's parent of the implications of such~~
26 ~~instructional modifications.~~ A parent must provide signed
27 consent for a student to receive accommodations in the
28 classroom ~~instructional modifications~~ that would not be
29 permitted on the statewide assessments and must acknowledge in
30 writing that he or she understands the implications of such
31 accommodations. The State Board of Education shall adopt

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1 rules, based upon recommendations of the commissioner, for the
2 provision of test accommodations ~~and modifications of~~
3 ~~procedures as necessary~~ for students in exceptional education
4 programs and for students who have limited English
5 proficiency. Accommodations that negate the validity of a
6 statewide assessment are not allowable in the administration
7 of the FCAT but are allowable in the classroom if included in
8 a student's individual education plan. Students using an FCAT
9 nonallowable accommodation in the classroom may have the FCAT
10 requirement waived pursuant to s. 1003.43(11)(b).

11 7. A student seeking an adult high school diploma must
12 meet the same testing requirements that a regular high school
13 student must meet.

14 8. District school boards must provide instruction to
15 prepare students to demonstrate proficiency in the skills and
16 competencies necessary for successful grade-to-grade
17 progression and high school graduation. If a student is
18 provided with accommodations ~~or modifications~~ that are not
19 allowable in the statewide assessment program, as described in
20 the test manuals, the district must inform the parent in
21 writing and must provide the parent with information regarding
22 the impact on the student's ability to meet expected
23 proficiency levels in reading, writing, and math. The
24 commissioner shall conduct studies as necessary to verify that
25 the required skills and competencies are part of the district
26 instructional programs.

27 9. District school boards must provide opportunities
28 for students to retake the FCAT following enrollment in summer
29 academies.

30 ~~10.9-~~ The Department of Education must develop, or
31 select, and implement a common battery of assessment tools

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1 that will be used in all juvenile justice programs in the
2 state. These tools must accurately measure the skills and
3 competencies established in the ~~Florida~~ Sunshine State
4 Standards.

5 11. For students seeking a special diploma pursuant to
6 s. 1003.438, the Department of Education must develop, or
7 select and implement, a common battery of assessment tools
8 that accurately measure the skills and competencies
9 established in the Sunshine State Standards under s. 1003.438
10 for students with significant cognitive disabilities.

11
12 The commissioner may, based on collaboration and input from
13 school districts, design and implement student testing
14 programs, for any grade level and subject area, necessary to
15 effectively measure educational achievement of the Sunshine
16 State Standards for students with significant cognitive
17 disabilities ~~monitor educational achievement in the state.~~
18 Development and refinement shall include universal design
19 principles and accessibility standards or web-based
20 assessments that will prevent any unintended obstacles for
21 students with disabilities while ensuring the validity and
22 reliability of the test. The field testing process and
23 psychometric analyses for the statewide assessment program
24 formats must include an appropriate percentage of students
25 with disabilities and an evaluation or determination of the
26 effect of test items on such students.

27 (e) Conduct ongoing research and analysis of student
28 achievement data, including, without limitation, monitoring
29 trends in student achievement by grade level and overall
30 student achievement, identifying school programs that are
31 successful, and analyzing correlates of school achievement.

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(f) Research the cost and student achievement impact of developing and establishing secondary school end-of-course assessments based on identified course competencies and including web-based and performance formats. Reports must be made to the Legislature prior to implementation.

(9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

(a) The State Board of Education shall conduct concordance studies, as necessary, in order to determine scores on the SAT and the ACT which are equivalent to those required on the FCAT for high school graduation pursuant to s. 1003.429(6)(a) or s. 1003.43(5)(a).

~~(b)(a)~~ The Commissioner of Education shall approve the use of the SAT and ACT tests as alternative assessments to the grade 10 FCAT ~~for the 2003-2004 school year~~. Students who attain scores on the SAT or ACT which equate to the passing scores on the grade 10 FCAT for purposes of high school graduation shall satisfy the assessment requirement for a standard high school diploma as provided in s. 1003.429(6)(a) or s. 1003.43(5)(a) ~~for the 2003-2004 school year~~ if the students meet the requirement in paragraph(c) ~~(b)~~.

~~(c)(b)~~ A student shall be required to take each subject area of the grade 10 FCAT a total of three times without earning a passing score in order to use the corresponding subject area scores on an alternative assessment pursuant to paragraph(b) ~~(a)~~. This requirement shall not apply to a new student who enters ~~is a new student to~~ the public school system in grade 12, who may take the FCAT or use approved score equivalencies for the purpose of fulfilling the graduation requirement.

(d) The State Board of Education may define by rule the allowable uses, other than to satisfy the high school

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1 graduation requirement, of concordant scores as described in
2 this subsection. Such uses may include, but need not be
3 limited to, achieving appropriate standardized test scores
4 required for the awarding of Florida Bright Futures
5 Scholarships and for college placement.

6 (10) REPORTS.--The Department of Education shall
7 annually provide a report to the Governor, the President of
8 the Senate, and the Speaker of the House of Representatives on
9 the following:

10 (a) Longitudinal performance of students in
11 mathematics and reading.

12 (b) Longitudinal performance of students by grade
13 level in mathematics and reading.

14 (c) Longitudinal performance regarding efforts to
15 close the achievement gap.

16 (d) Longitudinal performance of students on the
17 norm-referenced component of the FCAT.

18 (e) Other student performance data based on national
19 norm-referenced and criterion-referenced tests, when
20 available, and numbers of students who after 8th grade enroll
21 in adult education rather than secondary education.

22 Section 43. Subsection (4) of section 1008.25, Florida
23 Statutes, is amended to read:

24 1008.25 Public school student progression; remedial
25 instruction; reporting requirements.--

26 (4) ASSESSMENT AND REMEDIATION.--

27 (a) Each student must participate in the statewide
28 assessment tests required by s. 1008.22. Each student who does
29 not meet specific levels of performance as determined by the
30 district school board in reading, writing, science, and
31 mathematics for each grade level, or who scores below Level 3

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1 ~~in reading or math~~ does not meet specific levels of
2 ~~performance as determined by the commissioner on statewide~~
3 ~~assessments at selected grade levels~~, must be provided with
4 additional diagnostic assessments to determine the nature of
5 the student's difficulty, ~~the~~ and areas of academic need, and
6 strategies for appropriate intervention and instruction.

7 (b) The school in which the student is enrolled must
8 develop, in consultation with the student's parent, and must
9 implement a progress monitoring ~~an academic improvement~~ plan
10 designed to assist the student in meeting state and district
11 expectations for proficiency. For secondary students who score
12 below Level 3 in reading and math, these provisions shall be
13 included within the academic and career plans pursuant to s.
14 1003.415(5). ~~For a student for whom a personalized middle~~
15 ~~school success plan is required pursuant to s. 1003.415, the~~
16 ~~middle school success plan must be incorporated in the~~
17 ~~student's academic improvement plan.~~ Beginning with the
18 2006-2007 ~~2002-2003~~ school year, if the student has been
19 identified as having a deficiency in reading or math, the
20 progress monitoring ~~academic improvement~~ plan shall identify
21 the student's specific areas of deficiency or skills gaps in
22 math and reading ~~phonemic awareness, phonics, fluency,~~
23 ~~comprehension, and vocabulary~~; the desired levels of
24 performance in these areas; and the instructional and support
25 services to be provided to meet the desired levels of
26 performance. ~~Schools shall also provide for the frequent~~
27 ~~monitoring of the student's progress in meeting the desired~~
28 ~~levels of performance.~~ District school boards shall assist
29 schools and teachers to implement research-based reading and
30 math activities and instructional strategies that have been
31 shown to be successful with ~~in teaching reading to~~

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1 low-performing students. Intensive remedial instruction
2 provided during middle and high school to students scoring at
3 Level I on the most recently administered FCAT may not be in
4 lieu of English and mathematics ~~credits required for~~
5 ~~graduation.~~

6 (c) Upon subsequent evaluation, if the documented
7 deficiency has not been remediated in accordance with the
8 progress monitoring ~~academic improvement~~ plan, the student may
9 be retained. Each student who does not meet the minimum
10 performance expectations defined by the Commissioner of
11 Education for the statewide assessment tests in reading,
12 writing, science, and mathematics must continue to be provided
13 with remedial or supplemental instruction until the
14 expectations are met or the student graduates from high school
15 or is not subject to compulsory school attendance.

16 Section 44. Section 1008.301, Florida Statutes, is
17 repealed.

18 Section 45. Section 1008.31, Florida Statutes, is
19 amended to read:

20 1008.31 Florida's K-20 education performance
21 accountability system; legislative intent; ~~performance-based~~
22 ~~funding~~; mission, goals, and systemwide measures; public
23 accountability and reporting.--

24 (1) LEGISLATIVE INTENT.--It is the intent of the
25 Legislature that:

26 (a) The performance accountability system implemented
27 to assess the effectiveness of Florida's seamless K-20
28 education delivery system provide answers to the following
29 questions in relation to its mission and goals:

30 1. What is the public receiving in return for funds it
31 invests in education?

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1 2. How effectively is Florida's K-20 education system
2 educating its students?

3 3. How effectively are the major delivery sectors
4 promoting student achievement?

5 4. How are individual schools and postsecondary
6 education institutions performing their responsibility to
7 educate their students as measured by how students are
8 performing, ~~and~~ and how much they are learning, and what their
9 actual completion rates are?

10 (b) The K-20 education performance accountability
11 system be established as a single, unified accountability
12 system with multiple components, including, but not limited
13 to, measures of adequate yearly progress, individual student
14 learning gains in public schools, school grades, and return on
15 investment.

16 (c) The K-20 education performance accountability
17 system comply with the accountability requirements of the "No
18 Child Left Behind Act of 2001," Pub. L. No. 107-110.

19 (d) The State Board of Education recommend to the
20 Legislature systemwide performance standards; the Legislature
21 establish systemwide performance measures and standards; and
22 the systemwide measures and standards provide Floridians with
23 information on what the public is receiving in return for the
24 funds it invests in education and how well the K-20 system
25 educates its students.

26 (e) The State Board of Education establish performance
27 measures and set performance standards for individual
28 components of the public education system, including
29 individual schools and postsecondary educational institutions,
30 with measures and standards based primarily on student
31 achievement.

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1 (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

2 (a) The mission of Florida's K-20 education system
3 shall be to increase the proficiency of all students within
4 one seamless, efficient system, by allowing them the
5 opportunity to expand their knowledge and skills through
6 learning opportunities and research valued by students,
7 parents, and communities.

8 (b) The process ~~State Board of Education shall adopt~~
9 ~~guiding principles~~ for establishing state and sector-specific
10 standards and measures must be:-

- 11 1. Focused on student success.
- 12 2. Addressable through policy and program changes.
- 13 3. Efficient and of high quality.
- 14 4. Measurable over time.
- 15 5. Simple to explain and display to the public.
- 16 6. Aligned with other measures and other sectors in
17 order to support a coordinated K-20 education system.

18 (c) The Department ~~State Board~~ of Education shall
19 maintain an accountability system that measures student
20 progress toward the following goals:

- 21 1. Highest student achievement, as indicated by
22 evidence of gains in student learning at all levels ~~measured~~
23 ~~by: student FCAT performance and annual learning gains; the~~
24 ~~number and percentage of schools that improve at least one~~
25 ~~school performance grade designation or maintain a school~~
26 ~~performance grade designation of "A" pursuant to s. 1008.34;~~
27 ~~graduation or completion rates at all learning levels; and~~
28 ~~other measures identified in law or rule.~~

- 29 2. Seamless articulation and maximum access, as
30 measured by evidence of progression, readiness, and access by
31 targeted groups of students identified by the Commissioner of

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~~Education; the percentage of students who demonstrate readiness for the educational level they are entering, from kindergarten through postsecondary education and into the workforce; the number and percentage of students needing remediation; the percentage of Floridians who complete associate, baccalaureate, graduate, professional, and postgraduate degrees; the number and percentage of credits that articulate; the extent to which each set of exit-point requirements matches the next set of entrance-point requirements; the degree to which underserved populations access educational opportunity; the extent to which access is provided through innovative educational delivery strategies; and other measures identified in law or rule.~~

3. Skilled workforce and economic development, as measured by evidence of employment and earnings; ~~the number and percentage of graduates employed in their areas of preparation; the percentage of Floridians with high school diplomas and postsecondary education credentials; the percentage of business and community members who find that Florida's graduates possess the skills they need; national rankings; and other measures identified in law or rule.~~

4. Quality efficient services, as measured by evidence of return on investment; ~~cost per completer or graduate; average cost per noncompleter at each educational level; cost disparity across institutions offering the same degrees; the percentage of education customers at each educational level who are satisfied with the education provided; and other measures identified in law or rule.~~

5. Other goals, as identified by law or rule.

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS

~~SYSTEMWIDE DATA COLLECTION.--In order to provide the data~~

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1 required to implement education performance accountability
2 measures in state and federal law, the Commissioner of
3 Education shall initiate and maintain strategies to improve
4 data quality and timeliness.

5 (a) School districts and public postsecondary
6 educational institutions shall maintain information systems
7 that will provide the State Board of Education, the Board of
8 Governors of the State University System, and the Legislature
9 with information and reports necessary to address the
10 specifications of the accountability system. ~~The State Board~~
11 ~~of Education shall determine the standards for the required~~
12 ~~data.~~ The level of comprehensiveness and quality shall be no
13 less than that which was available as of June 30, 2001.

14 (b) The Commissioner of Education shall determine the
15 standards for the required data, monitor data quality, and
16 measure improvements. The commissioner shall report annually
17 to the State Board of Education, the Board of Governors of the
18 State University System, the President of the Senate, and the
19 Speaker of the House of Representatives the data quality
20 indicators, ratings for all school districts and public
21 postsecondary educational institutions, and information on
22 Florida's calculation of graduation rates and how this
23 compares to calculation methods by other states.

24 (4) REPORTING OR DATA COLLECTION.--The department
25 shall coordinate with school districts in developing any
26 reporting or data-collection requirements to address the
27 specifications of the accountability system. Before
28 establishing any new reporting or data-collection
29 requirements, the department shall use any existing data being
30 collected to reduce duplication and minimize paperwork.

31 Section 46. Section 1008.33, Florida Statutes, is

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1 amended to read:

2 1008.33 Authority to enforce public school
3 improvement.--It is the intent of the Legislature that all
4 public schools be held accountable for students performing at
5 acceptable levels. A system of school improvement and
6 accountability that assesses student performance by school,
7 identifies schools in which students are not making adequate
8 progress toward state standards, institutes appropriate
9 measures for enforcing improvement, and provides rewards and
10 sanctions based on performance shall be the responsibility of
11 the State Board of Education.

12 (1) Pursuant to Art. IX of the State Constitution
13 prescribing the duty of the State Board of Education to
14 supervise Florida's public school system and notwithstanding
15 any other statutory provisions to the contrary, the State
16 Board of Education shall intervene in the operation of a
17 district school system when one or more schools in the school
18 district have failed to make adequate progress for 2 school
19 years in a 4-year period. For purposes of determining when a
20 school is eligible for state board action and opportunity
21 scholarships for its students, the terms "2 years in any
22 4-year period" and "2 years in a 4-year period" mean that in
23 any year that a school has a grade of "F," the school is
24 eligible for state board action and opportunity scholarships
25 for its students if it also has had a grade of "F" in any of
26 the previous 3 school years. The State Board of Education may
27 determine that the school district or school has not taken
28 steps sufficient for students in the school to be academically
29 well served. Considering recommendations of the Commissioner
30 of Education, the State Board of Education shall recommend
31 action to a district school board intended to improve

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1 educational services to students in each school that is
2 designated with a ~~as performance~~ grade of ~~category~~ "F."
3 Recommendations for actions to be taken in the school district
4 shall be made only after thorough consideration of the unique
5 characteristics of a school, which shall include student
6 mobility rates, the number and type of exceptional students
7 enrolled in the school, and the availability of options for
8 improved educational services. The state board shall adopt by
9 rule steps to follow in this process. Such steps shall
10 provide school districts sufficient time to improve student
11 performance in schools and the opportunity to present evidence
12 of assistance and interventions that the district school board
13 has implemented.

14 (2) The State Board of Education may recommend one or
15 more of the following actions to district school boards to
16 enable students in schools designated with a ~~as performance~~
17 grade of ~~category~~ "F" to be academically well served by the
18 public school system:

19 (a) Provide additional resources, change certain
20 practices, and provide additional assistance if the state
21 board determines the causes of inadequate progress to be
22 related to school district policy or practice;

23 (b) Implement a plan that satisfactorily resolves the
24 education equity problems in the school;

25 (c) Contract for the educational services of the
26 school, or reorganize the school at the end of the school year
27 under a new school principal who is authorized to hire new
28 staff and implement a plan that addresses the causes of
29 inadequate progress;

30 (d) Allow parents of students in the school to send
31 their children to another district school of their choice; or

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1 (e) Other action appropriate to improve the school's
2 performance, including, if the school is a high school,
3 requiring annual publication of the school's graduation rate
4 calculated without GED tests for the past 3 years,
5 disaggregated by student ethnicity.

6 (3) In recommending actions to district school boards,
7 the State Board of Education shall specify the length of time
8 available to implement the recommended action. The State
9 Board of Education may adopt rules to further specify how it
10 may respond in specific circumstances. No action taken by the
11 State Board of Education shall relieve a school from state
12 accountability requirements.

13 (4) The State Board of Education may require the
14 Department of Education or Chief Financial Officer to withhold
15 any transfer of state funds to the school district if, within
16 the timeframe specified in state board action, the school
17 district has failed to comply with the action ordered to
18 improve the district's low-performing schools. Withholding the
19 transfer of funds shall occur only after all other recommended
20 actions for school improvement have failed to improve
21 performance. The State Board of Education may impose the same
22 penalty on any district school board that fails to develop and
23 implement a plan for assistance and intervention for
24 low-performing schools as specified in s. 1001.42(16)(d) ~~s.~~
25 ~~1001.42(16)(c).~~

26 Section 47. Section 1008.34, Florida Statutes, is
27 amended to read:

28 1008.34 School grading system; school report cards;
29 district ~~performance~~ grade.--

30 (1) ANNUAL REPORTS.--The Commissioner of Education
31 shall prepare annual reports of the results of the statewide

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1 assessment program which describe student achievement in the
2 state, each district, and each school. The commissioner shall
3 prescribe the design and content of these reports, which must
4 include, without limitation, descriptions of the performance
5 of all schools participating in the assessment program and all
6 of their major student populations as determined by the
7 Commissioner of Education, and must also include the median
8 scores of all eligible students who scored at or in the lowest
9 25th percentile of the state in the previous school year;
10 provided, however, that the provisions of s.1002.22
11 pertaining to student records apply to this section.

12 (2) SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The
13 annual report shall identify schools as having one of the
14 following grades, ~~being in one of the following grade~~
15 ~~categories~~ defined according to rules of the State Board of
16 Education:

- 17 (a) "A," schools making excellent progress.
- 18 (b) "B," schools making above average progress.
- 19 (c) "C," schools making satisfactory progress.
- 20 (d) "D," schools making less than satisfactory
21 progress.
- 22 (e) "F," schools failing to make adequate progress.

23
24 Each school designated with a ~~in performance grade of~~ category
25 "A," making excellent progress, or having improved at least
26 two ~~performance grade levels~~ categories, shall have greater
27 authority over the allocation of the school's total budget
28 generated from the FEFP, state categoricals, lottery funds,
29 grants, and local funds, as specified in state board rule. The
30 rule must provide that the increased budget authority shall
31 remain in effect until the school's ~~performance~~ grade

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declines.

(3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--Each school that has students who are tested and included in the school grading system, except an alternative school that receives a school-improvement rating pursuant to s. 1008.341, shall receive a school grade; however, an alternative school may choose to receive a school grade under this section in lieu of a school-improvement rating.

Additionally, a school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school. School grades ~~performance grade category designations~~ itemized in subsection (2) shall be based on the following:

(a) Criteria ~~Timeframes~~.--A school's grade shall be based on a combination of:

1. Student achievement scores, including achievement scores for students seeking a special diploma ~~School performance grade category designations shall be based on the school's current year performance and the school's annual learning gains.~~

2. ~~A school's performance grade category designation shall be based on a combination of student achievement scores,~~ Student learning gains as measured by annual FCAT assessments in grades 3 through 10; learning gains as measured by a common

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1 battery of assessment tools for students seeking a special
2 diploma, no later than the 2008-2009 school year; and

3 3. Improvement of the lowest 25th percentile of
4 students in the school ~~in reading, math, or writing on the~~
5 FCAT Reading, unless these students are exhibiting ~~performing~~
6 above satisfactory performance.

7 (b) Student assessment data.--Student assessment data
8 used in determining school grades ~~performance grade categories~~
9 shall include:

10 1. The aggregate scores of all eligible students
11 enrolled in the school who have been assessed on the FCAT.

12 2. The aggregate scores of all eligible students
13 enrolled in the school who have been assessed on the FCAT,
14 including Florida Writes, and who have scored at or in the
15 lowest 25th percentile of students in the school in reading,
16 math, or writing, unless these students are exhibiting
17 ~~performing above~~ satisfactory performance.

18 3. The achievement scores and learning gains of
19 eligible students attending alternative schools that provide
20 dropout-prevention and academic-intervention services pursuant
21 to s. 1003.53. The term "eligible students" in this
22 subparagraph does not include students attending an
23 alternative school who are subject to district school board
24 policies for expulsion for repeated or serious offenses, who
25 are in dropout-retrieval programs serving students who have
26 officially been designated as dropouts, or who are in programs
27 operated or contracted by the Department of Juvenile Justice.
28 The student performance data for eligible students identified
29 in this subparagraph shall be included in the calculation of
30 the home school's grade. For purposes of this section and s.
31 1008.341, "home school" means the school the student was

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1 attending when assigned to an alternative school. If an
2 alternative school chooses to be graded pursuant to this
3 section, student performance data for eligible students
4 identified in this subparagraph shall not be included in the
5 home school's grade but shall be included only in the
6 calculation of the alternative school's grade. School
7 districts must require collaboration between the home school
8 and the alternative school in order to promote student
9 success.

10
11 ~~The Department of Education shall study the effects of~~
12 ~~mobility on the performance of highly mobile students and~~
13 ~~recommend programs to improve the performance of such~~
14 ~~students.~~ The State Board of Education shall adopt appropriate
15 criteria for each school ~~performance grade category~~. The
16 criteria must also give added weight to student achievement in
17 reading. Schools designated with a ~~as performance grade of~~
18 ~~category~~ "C," making satisfactory progress, shall be required
19 to demonstrate that adequate progress has been made by
20 students in the school who are in the lowest 25th percentile
21 in reading, math, or writing on the FCAT, including Florida
22 Writes, unless these students are exhibiting ~~performing above~~
23 satisfactory performance.

24 (4) SCHOOL IMPROVEMENT RATINGS.--The annual report
25 shall identify each school's performance as having improved,
26 remained the same, or declined. This school improvement rating
27 shall be based on a comparison of the current year's and
28 previous year's student and school performance data. Schools
29 that improve at least one ~~performance grade level category~~ are
30 eligible for school recognition awards pursuant to s. 1008.36.

31 (5) SCHOOL REPORT CARD ~~PERFORMANCE GRADE CATEGORY AND~~

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1 ~~IMPROVEMENT RATING REPORTS.--The Department of Education shall~~
2 ~~annually develop, in collaboration with the school districts,~~
3 ~~a school report card to be delivered to parents throughout~~
4 ~~each school district. The report card shall include the~~
5 ~~school's grade, information regarding school improvement, an~~
6 ~~explanation of school performance as evaluated by the federal~~
7 ~~No Child Left Behind Act of 2001, and indicators of return on~~
8 ~~investment. School performance grade category designations and~~
9 ~~improvement ratings shall apply to each school's performance~~
10 ~~for the year in which performance is measured. Each school's~~
11 ~~report card designation and rating shall be published annually~~
12 ~~by the department on its website, of Education and the school~~
13 ~~district shall provide the school report card to each parent.~~
14 ~~Parents shall be entitled to an easy-to-read report card about~~
15 ~~the designation and rating of the school in which their child~~
16 ~~is enrolled.~~

17 ~~(6) RULES.--The State Board of Education shall adopt~~
18 ~~rules pursuant to ss. 120.536(1) and 120.54 to implement the~~
19 ~~provisions of this section.~~

20 ~~(6)(7)~~ PERFORMANCE-BASED FUNDING.--The Legislature may
21 factor in the performance of schools in calculating any
22 performance-based funding policy that is provided for annually
23 in the General Appropriations Act.

24 ~~(7)(8)~~ DISTRICT ~~PERFORMANCE~~ GRADE.--The annual report
25 required by subsection (1) shall include district ~~performance~~
26 grades, which shall consist of weighted district average
27 grades, by level, for all elementary schools, middle schools,
28 and high schools in the district. A district's weighted
29 average grade shall be calculated by weighting individual
30 school grades determined pursuant to subsection (2) by school
31 enrollment.

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1 Section 48. Section 1008.341, Florida Statutes, is
2 created to read:

3 1008.341 School-improvement rating for alternative
4 schools.--

5 (1) ANNUAL REPORTS.--The Commissioner of Education
6 shall prepare an annual report on the performance of each
7 school receiving a school-improvement rating pursuant to this
8 section if the provisions of s. 1002.22 pertaining to student
9 records apply.

10 (2) SCHOOL IMPROVEMENT RATING.--Alternative schools
11 that provide dropout-prevention and academic-intervention
12 services pursuant to s. 1003.53 shall receive a
13 school-improvement rating pursuant to this section. The
14 school-improvement rating shall identify schools as having one
15 of the following ratings defined according to rules of the
16 State Board of Education:

17 (a) "Improving" means schools with students making
18 more academic progress than when the students were served in
19 their home schools.

20 (b) "Maintaining" means schools with students making
21 progress equivalent to the progress made when the students
22 were served in their home schools.

23 (c) "Declining" means schools with students making
24 less academic progress than when the students were served in
25 their home schools.

26
27 The school-improvement rating shall be based on a comparison
28 of student performance data for the current year and previous
29 year. Schools that improve at least one level or maintain an
30 "improving" rating pursuant to this section are eligible for
31 school recognition awards pursuant to s. 1008.36.

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1 (3) DESIGNATION OF SCHOOL-IMPROVEMENT RATING.--Student
 2 data used in determining an alternative school's
 3 school-improvement rating shall include:

4 (a) The aggregate scores of all eligible students who
 5 were assigned to and enrolled in the school during the October
 6 or February FTE count, who have been assessed on the FCAT, and
 7 who have FCAT or comparable scores for the preceding school
 8 year.

9 (b) The aggregate scores of all eligible students who
 10 were assigned to and enrolled in the school during the October
 11 or February FTE count, who have been assessed on the FCAT,
 12 including Florida Writes, and who have scored in the lowest
 13 25th percentile of students in the state on FCAT Reading.

14
 15 The assessment scores of students who are subject to district
 16 school board policies for expulsion for repeated or serious
 17 offenses, who are in dropout-retrieval programs serving
 18 students who have officially been designated as dropouts, or
 19 who are in programs operated or contracted by the Department
 20 of Juvenile Justice may not be included in an alternative
 21 school's school improvement rating.

22 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For
 23 each alternative school receiving a school-improvement rating,
 24 the Department of Education shall annually identify the
 25 percentage of students making learning gains as compared to
 26 the percentage of the same students making learning gains in
 27 their home schools in the year prior to being assigned to the
 28 alternative school.

29 (5) SCHOOL REPORT CARD.--The Department of Education
 30 shall annually develop, in collaboration with the school
 31 districts, a school report card for alternative schools to be

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1 delivered to parents throughout each school district. The
2 report card shall include the school-improvement rating,
3 identification of student learning gains, student attendance
4 data, information regarding school improvement, an explanation
5 of school performance as evaluated by the federal No Child
6 Left Behind Act of 2001, and indicators of return on
7 investment.

8 Section 49. Subsection (5), paragraphs (b) and (d) of
9 subsection (6), and subsection (7) of section 1008.345,
10 Florida Statutes, are amended to read:

11 1008.345 Implementation of state system of school
12 improvement and education accountability.--

13 (5) The commissioner shall report to the Legislature
14 and recommend changes in state policy necessary to foster
15 school improvement and education accountability. Included in
16 the report shall be a list of the schools, including schools
17 operating for the purpose of providing educational services to
18 youth in Department of Juvenile Justice programs, for which
19 district school boards have developed assistance and
20 intervention plans and an analysis of the various strategies
21 used by the school boards. School reports shall be distributed
22 pursuant to this subsection and s. 1001.42(16)(f) ~~s.~~
23 ~~1001.42(16)(e)~~ and according to rules adopted by the State
24 Board of Education.

25 (6)

26 (b) Upon request, the department shall provide
27 technical assistance and training to any school, including any
28 school operating for the purpose of providing educational
29 services to youth in Department of Juvenile Justice programs,
30 school advisory council, district, or district school board
31 for conducting needs assessments, developing and implementing

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1 school improvement plans, developing and implementing
2 assistance and intervention plans, or implementing other
3 components of school improvement and accountability. Priority
4 for these services shall be given to schools designated with a
5 ~~as performance grade of category~~ "D" or "F" and school
6 districts in rural and sparsely populated areas of the state.

7 (d) The department shall assign a community assessment
8 team to each school district with a school designated with a
9 ~~as performance grade of category~~ "D" or "F" to review the
10 school performance data and determine causes for the low
11 performance. The team shall make recommendations to the school
12 board, to the department, and to the State Board of Education
13 for implementing an assistance and intervention plan that will
14 address the causes of the school's low performance. The
15 assessment team shall include, but not be limited to, a
16 department representative, parents, business representatives,
17 educators, and community activists, and shall represent the
18 demographics of the community from which they are appointed.

19 (7)(a) Schools designated with a ~~in performance grade~~
20 ~~of category~~ "A," making excellent progress, shall, if
21 requested by the school, be given deregulated status as
22 specified in s. 1003.63(5), (7), (8), (9), and (10).

23 (b) Schools that have improved at least two grades
24 ~~performance grade categories~~ and that meet the criteria of the
25 Florida School Recognition Program pursuant to s. 1008.36 may
26 be given deregulated status as specified in s. 1003.63(5),
27 (7), (8), (9), and (10).

28 Section 50. Paragraphs (f), (h), (l), (m), and (n) of
29 subsection (1) and paragraphs (a) and (b) of subsection (4) of
30 section 1011.62, Florida Statutes, are amended, present
31 subsections (8) and (9) of that section are redesignated as

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1 subsections (9) and (10), respectively, and amended, and a new
2 subsection (8) is added to that section, to read:

3 1011.62 Funds for operation of schools.--If the annual
4 allocation from the Florida Education Finance Program to each
5 district for operation of schools is not determined in the
6 annual appropriations act or the substantive bill implementing
7 the annual appropriations act, it shall be determined as
8 follows:

9 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
10 OPERATION.--The following procedure shall be followed in
11 determining the annual allocation to each district for
12 operation:

13 (f) Supplemental academic instruction; categorical
14 fund.--

15 1. There is created a categorical fund to provide
16 supplemental academic instruction to students in kindergarten
17 through grade 12. This paragraph may be cited as the
18 "Supplemental Academic Instruction Categorical Fund."

19 2. Categorical funds for supplemental academic
20 instruction shall be allocated annually to each school
21 district in the amount provided in the General Appropriations
22 Act. These funds shall be in addition to the funds
23 appropriated on the basis of FTE student membership in the
24 Florida Education Finance Program and shall be included in the
25 total potential funds of each district. These funds shall be
26 used to provide supplemental academic instruction to students
27 enrolled in the K-12 program. Supplemental instruction
28 strategies may include, but are not limited to: modified
29 curriculum, reading instruction, after-school instruction,
30 tutoring, mentoring, class size reduction, extended school
31 year, intensive skills development in summer school, and other

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1 methods for improving student achievement. Supplemental
2 instruction may be provided to a student in any manner and at
3 any time during or beyond the regular 180-day term identified
4 by the school as being the most effective and efficient way to
5 best help that student progress from grade to grade and to
6 graduate.

7 3. Effective with the 1999-2000 fiscal year, funding
8 on the basis of FTE membership beyond the 180-day regular term
9 shall be provided in the FEFP only for students enrolled in
10 juvenile justice education programs or in an education program
11 for juveniles under s. 985.223. Funding for instruction beyond
12 the regular 180-day school year for all other K-12 students
13 shall be provided through the supplemental academic
14 instruction categorical fund and other state, federal, and
15 local fund sources with ample flexibility for schools to
16 provide supplemental instruction to assist students in
17 progressing from grade to grade and graduating.

18 4. The Florida State University School, as a lab
19 school, is authorized to expend from its FEFP or Lottery
20 Enhancement Trust Fund allocation the cost to the student of
21 remediation in reading, writing, or mathematics for any
22 graduate who requires remediation at a postsecondary
23 educational institution.

24 5. Beginning in the 1999-2000 school year, dropout
25 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
26 (b), and (c), and 1003.54 shall be included in group 1
27 programs under subparagraph (d)3.

28 (h) Small, isolated high schools.--Districts which
29 levy the maximum nonvoted discretionary millage, exclusive of
30 millage for capital outlay purposes levied pursuant to s.
31 1011.71(2), may calculate full-time equivalent students for

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1 small, isolated high schools by multiplying the number of
2 unweighted full-time equivalent students times 2.75; provided
3 the school has attained a ~~state accountability performance~~
4 grade ~~category~~ of "C" or better, pursuant to s. 1008.34, for
5 the previous school year. For the purpose of this section, the
6 term "small, isolated high school" means any high school which
7 is located no less than 28 miles by the shortest route from
8 another high school; which has been serving students primarily
9 in basic studies provided by sub-subparagraphs (c)1.b. and c.
10 and may include subparagraph (c)4.; and which has a membership
11 of no more than 100 students, but no fewer than 28 students,
12 in grades 9 through 12.

13 (1) Calculation of additional full-time equivalent
14 membership based on international baccalaureate examination
15 scores of students.--A value of 0.24 full-time equivalent
16 student membership shall be calculated for each student
17 enrolled in an international baccalaureate course who receives
18 a score of 4 or higher on a subject examination. A value of
19 0.3 full-time equivalent student membership shall be
20 calculated for each student who receives an international
21 baccalaureate diploma. Such value shall be added to the total
22 full-time equivalent student membership in basic programs for
23 grades 9 through 12 in the subsequent fiscal year. The school
24 district shall distribute to each classroom teacher who
25 provided international baccalaureate instruction:

26 1. A bonus in the amount of \$50 for each student
27 taught by the International Baccalaureate teacher in each
28 international baccalaureate course who receives a score of 4
29 or higher on the international baccalaureate examination.

30 2. An additional bonus of \$500 to each International
31 Baccalaureate teacher in a school designated with a

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1 ~~performance~~ grade of ~~category~~ "D" or "F" who has at least one
2 student scoring 4 or higher on the international baccalaureate
3 examination, regardless of the number of classes taught or of
4 the number of students scoring a 4 or higher on the
5 international baccalaureate examination.

6
7 Bonuses awarded to a teacher according to this paragraph shall
8 not exceed \$2,000 in any given school year and shall be in
9 addition to any regular wage or other bonus the teacher
10 received or is scheduled to receive.

11 (m) Calculation of additional full-time equivalent
12 membership based on Advanced International Certificate of
13 Education examination scores of students.--A value of 0.24
14 full-time equivalent student membership shall be calculated
15 for each student enrolled in a full-credit Advanced
16 International Certificate of Education course who receives a
17 score of E or higher on a subject examination. A value of 0.12
18 full-time equivalent student membership shall be calculated
19 for each student enrolled in a half-credit Advanced
20 International Certificate of Education course who receives a
21 score of E or higher on a subject examination. A value of 0.3
22 full-time equivalent student membership shall be calculated
23 for each student who receives an Advanced International
24 Certificate of Education diploma. Such value shall be added to
25 the total full-time equivalent student membership in basic
26 programs for grades 9 through 12 in the subsequent fiscal
27 year. The school district shall distribute to each classroom
28 teacher who provided Advanced International Certificate of
29 Education instruction:

30 1. A bonus in the amount of \$50 for each student
31 taught by the Advanced International Certificate of Education

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1 teacher in each full-credit Advanced International Certificate
2 of Education course who receives a score of E or higher on the
3 Advanced International Certificate of Education examination. A
4 bonus in the amount of \$25 for each student taught by the
5 Advanced International Certificate of Education teacher in
6 each half-credit Advanced International Certificate of
7 Education course who receives a score of E or higher on the
8 Advanced International Certificate of Education examination.

9 2. An additional bonus of \$500 to each Advanced
10 International Certificate of Education teacher in a school
11 designated with a performance grade of category "D" or "F" who
12 has at least one student scoring E or higher on the
13 full-credit Advanced International Certificate of Education
14 examination, regardless of the number of classes taught or of
15 the number of students scoring an E or higher on the
16 full-credit Advanced International Certificate of Education
17 examination.

18 3. Additional bonuses of \$250 each to teachers of
19 half-credit Advanced International Certificate of Education
20 classes in a school designated with a performance grade of
21 ~~category~~ "D" or "F" which has at least one student scoring an
22 E or higher on the half-credit Advanced International
23 Certificate of Education examination in that class. The
24 maximum additional bonus for a teacher awarded in accordance
25 with this subparagraph shall not exceed \$500 in any given
26 school year. Teachers receiving an award under subparagraph 2.
27 are not eligible for a bonus under this subparagraph.

28
29 Bonuses awarded to a teacher according to this paragraph shall
30 not exceed \$2,000 in any given school year and shall be in
31 addition to any regular wage or other bonus the teacher

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received or is scheduled to receive.

(n) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.--A value of 0.24 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of \$50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement teacher in a school designated with a performance grade of ~~category~~ "D" or "F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

Bonuses awarded to a teacher according to this paragraph shall not exceed \$2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

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1 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL
2 EFFORT.--The Legislature shall prescribe the aggregate
3 required local effort for all school districts collectively as
4 an item in the General Appropriations Act for each fiscal
5 year. The amount that each district shall provide annually
6 toward the cost of the Florida Education Finance Program for
7 kindergarten through grade 12 programs shall be calculated as
8 follows:

9 (a) Estimated taxable value calculations.--

10 1.a. Not later than 2 working days prior to July 19,
11 the Department of Revenue shall certify to the Commissioner of
12 Education its most recent estimate of the taxable value for
13 school purposes in each school district and the total for all
14 school districts in the state for the current calendar year
15 based on the latest available data obtained from the local
16 property appraisers. Not later than July 19, the Commissioner
17 of Education shall compute a millage rate, rounded to the next
18 highest one one-thousandth of a mill, which, when applied to
19 95 percent of the estimated state total taxable value for
20 school purposes, would generate the prescribed aggregate
21 required local effort for that year for all districts. The
22 Commissioner of Education shall certify to each district
23 school board the millage rate, computed as prescribed in this
24 subparagraph, as the minimum millage rate necessary to provide
25 the district required local effort for that year.

26 b. The General Appropriations Act shall direct the
27 computation of the statewide adjusted aggregate amount for
28 required local effort for all school districts collectively
29 from ad valorem taxes to ensure that no school district's
30 revenue from required local effort millage will produce more
31 than 90 percent of the district's total Florida Education

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1 Finance Program calculation, and the adjustment of the
2 required local effort millage rate of each district that
3 produces more than 90 percent of its total Florida Education
4 Finance Program entitlement to a level that will produce only
5 90 percent of its total Florida Education Finance Program
6 entitlement in the July calculation.

7 2. As revised data are received from property
8 appraisers, the Department of Revenue shall amend the
9 certification of the estimate of the taxable value for school
10 purposes. The Commissioner of Education, in administering the
11 provisions of subparagraph(10)(a)2. ~~(9)(a)2.~~, shall use the
12 most recent taxable value for the appropriate year.

13 (b) Final calculation.--

14 1. The Department of Revenue shall, upon receipt of
15 the official final assessed value of property from each of the
16 property appraisers, certify to the Commissioner of Education
17 the taxable value total for school purposes in each school
18 district, subject to the provisions of paragraph (d). The
19 commissioner shall use the official final taxable value for
20 school purposes for each school district in the final
21 calculation of the annual Florida Education Finance Program
22 allocations.

23 2. For the purposes of this paragraph, the official
24 final taxable value for school purposes shall be the taxable
25 value for school purposes on which the tax bills are computed
26 and mailed to the taxpayers, adjusted to reflect final
27 administrative actions of value adjustment boards and judicial
28 decisions pursuant to part I of chapter 194. By September 1 of
29 each year, the Department of Revenue shall certify to the
30 commissioner the official prior year final taxable value for
31 school purposes. For each county that has not submitted a

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1 revised tax roll reflecting final value adjustment board
2 actions and final judicial decisions, the Department of
3 Revenue shall certify the most recent revision of the official
4 taxable value for school purposes. The certified value shall
5 be the final taxable value for school purposes, and no further
6 adjustments shall be made, except those made pursuant to
7 subparagraph(10)(a)2. ~~(9)(a)2.~~

8 (8) RESEARCH-BASED READING INSTRUCTION ALLOCATION.--

9 (a) The research-based reading instruction allocation
10 is created to provide comprehensive reading instruction to
11 students in kindergarten through grade 12.

12 (b) Funds for comprehensive, research-based reading
13 instruction shall be allocated annually to each school
14 district in the amount provided in the General Appropriations
15 Act. Each eligible school district shall receive the same
16 minimum amount as specified in the General Appropriations Act,
17 and any remaining funds shall be distributed to eligible
18 school districts based on each school district's proportionate
19 share of K-12 base funding.

20 (c) Funds allocated under this subsection must be used
21 to provide a system of comprehensive reading instruction to
22 students enrolled in the K-12 programs, which may include the
23 following:

24 1. The provision of highly qualified reading coaches.

25 2. Professional development for school district
26 teachers in scientifically based reading instruction,
27 including strategies to teach reading in content areas and
28 with an emphasis on technical and informational text.

29 3. The provision of summer reading camps for students
30 who score at Level 1 on FCAT Reading.

31 4. The provision of supplemental instructional

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1 materials that are grounded in scientifically based reading
2 research.

3 5. The provision of intensive interventions for middle
4 and high school students reading below grade level.

5 (d) Annually, by a date determined by the Department
6 of Education but before May 1, school districts shall submit a
7 K-12 comprehensive reading plan for the specific use of the
8 research-based reading instruction allocation in the format
9 prescribed by the department for review and approval by the
10 Just Read, Florida! Office created pursuant to s. 1001.215.
11 The plan annually submitted by school districts shall be
12 deemed approved unless the department rejects the plan on or
13 before June 1. If a school district and the Just Read,
14 Florida! Office cannot reach agreement on the contents of the
15 plan, the school district may appeal to the State Board of
16 Education for resolution. School districts shall be allowed
17 reasonable flexibility in designing their plans and shall be
18 encouraged to offer reading remediation through innovative
19 methods, including career academies. The plan format shall be
20 developed with input from school district personnel, including
21 teachers and principals, and shall allow courses in core,
22 career, and alternative programs that deliver intensive
23 reading remediation through integrated curricula, provided
24 that the teacher is deemed highly qualified to teach reading
25 or working toward that status. No later than July 1 annually,
26 the department shall release the school district's allocation
27 of appropriated funds to those districts having approved
28 plans. A school district that spends 100 percent of this
29 allocation on its approved plan shall be deemed to have been
30 in compliance with the plan. The department may withhold funds
31 upon a determination that reading instruction allocation funds

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1 are not being used to implement the approved plan.

2 ~~(9)(8)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature
3 may annually in the General Appropriations Act determine a
4 percentage increase in funds per K-12 unweighted FTE as a
5 minimum guarantee to each school district. The guarantee shall
6 be calculated from prior year base funding per unweighted FTE
7 student which shall include the adjusted FTE dollars as
8 provided in subsection~~(10)~~ ~~(9)~~, quality guarantee funds, and
9 actual nonvoted discretionary local effort from taxes. From
10 the base funding per unweighted FTE, the increase shall be
11 calculated for the current year. The current year funds from
12 which the guarantee shall be determined shall include the
13 adjusted FTE dollars as provided in subsection~~(10)~~ ~~(9)~~ and
14 potential nonvoted discretionary local effort from taxes. A
15 comparison of current year funds per unweighted FTE to prior
16 year funds per unweighted FTE shall be computed. For those
17 school districts which have less than the legislatively
18 assigned percentage increase, funds shall be provided to
19 guarantee the assigned percentage increase in funds per
20 unweighted FTE student. Should appropriated funds be less than
21 the sum of this calculated amount for all districts, the
22 commissioner shall prorate each district's allocation. This
23 provision shall be implemented to the extent specifically
24 funded.

25 ~~(10)(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH
26 DISTRICT FOR CURRENT OPERATION.--The total annual state
27 allocation to each district for current operation for the FEFP
28 shall be distributed periodically in the manner prescribed in
29 the General Appropriations Act.

30 (a) The basic amount for current operation for the
31 FEFP as determined in subsection (1), multiplied by the

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1 district cost differential factor as determined in subsection
2 (2), plus the amounts provided for categorical components
3 within the FEFP, plus the amount for the sparsity supplement
4 as determined in subsection (6), the decline in full-time
5 equivalent students as determined in subsection (7), the
6 research-based reading instruction allocation as determined in
7 subsection (8), and the quality assurance guarantee as
8 determined in subsection(9) ~~(8)~~, less the required local
9 effort as determined in subsection (4). If the funds
10 appropriated for the purpose of funding the total amount for
11 current operation as provided in this paragraph are not
12 sufficient to pay the state requirement in full, the
13 department shall prorate the available state funds to each
14 district in the following manner:

15 1. Determine the percentage of proration by dividing
16 the sum of the total amount for current operation, as provided
17 in this paragraph for all districts collectively, and the
18 total district required local effort into the sum of the state
19 funds available for current operation and the total district
20 required local effort.

21 2. Multiply the percentage so determined by the sum of
22 the total amount for current operation as provided in this
23 paragraph and the required local effort for each individual
24 district.

25 3. From the product of such multiplication, subtract
26 the required local effort of each district; and the remainder
27 shall be the amount of state funds allocated to the district
28 for current operation.

29 (b) The amount thus obtained shall be the net annual
30 allocation to each school district. However, if it is
31 determined that any school district received an

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1 underallocation or overallocation for any prior year because
2 of an arithmetical error, assessment roll change, full-time
3 equivalent student membership error, or any allocation error
4 revealed in an audit report, the allocation to that district
5 shall be appropriately adjusted. Beginning with audits for the
6 2001-2002 fiscal year, if the adjustment is the result of an
7 audit finding in which group 2 FTE are reclassified to the
8 basic program and the district weighted FTE are over the
9 weighted enrollment ceiling for group 2 programs, the
10 adjustment shall not result in a gain of state funds to the
11 district. If the Department of Education audit adjustment
12 recommendation is based upon controverted findings of fact,
13 the Commissioner of Education is authorized to establish the
14 amount of the adjustment based on the best interests of the
15 state.

16 (c) The amount thus obtained shall represent the net
17 annual state allocation to each district; however,
18 notwithstanding any of the provisions herein, each district
19 shall be guaranteed a minimum level of funding in the amount
20 and manner prescribed in the General Appropriations Act.

21 Section 51. Paragraph (a) of subsection (2) of section
22 1011.64, Florida Statutes, is amended to read:

23 1011.64 School district minimum classroom expenditure
24 requirements.--

25 (2) For the purpose of implementing the provisions of
26 this section, the Legislature shall prescribe minimum academic
27 performance standards and minimum classroom expenditure
28 requirements for districts not meeting such minimum academic
29 performance standards in the General Appropriations Act.

30 (a) Minimum academic performance standards may be
31 based on, but are not limited to, district ~~performance~~ grades

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1 determined pursuant to s. 1008.34(7) ~~s. 1008.34(8)~~.

2 Section 52. Paragraph (b) of subsection (2) of section
3 1011.685, Florida Statutes, is amended to read:

4 1011.685 Class size reduction; operating categorical
5 fund.--

6 (2) Class size reduction operating categorical funds
7 shall be used by school districts for the following:

8 (b) For any lawful operating expenditure, if the
9 district has met the constitutional maximums identified in s.
10 1003.03(1) or the reduction of two students per year required
11 by s. 1003.03(2); however, priority shall be given to increase
12 salaries of classroom teachers as defined in s. 1012.01(2)(a)
13 and to implement the differentiated-pay provisions detailed in
14 s. 1012.2312 ~~salary career ladder defined in s. 1012.231~~.

15 Section 53. Subsection (1) of section 1011.71, Florida
16 Statutes, is amended to read:

17 1011.71 District school tax.--

18 (1) If the district school tax is not provided in the
19 General Appropriations Act or the substantive bill
20 implementing the General Appropriations Act, each district
21 school board desiring to participate in the state allocation
22 of funds for current operation as prescribed by s. 1011.62(10)
23 ~~s. 1011.62(9)~~ shall levy on the taxable value for school
24 purposes of the district, exclusive of millage voted under the
25 provisions of s. 9(b) or s. 12, Art. VII of the State
26 Constitution, a millage rate not to exceed the amount
27 certified by the commissioner as the minimum millage rate
28 necessary to provide the district required local effort for
29 the current year, pursuant to s. 1011.62(4)(a)1. In addition
30 to the required local effort millage levy, each district
31 school board may levy a nonvoted current operating

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discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy. The millage rate prescribed shall exceed zero mills but shall not exceed the lesser of 1.6 mills or 25 percent of the millage which is required pursuant to s. 1011.62(4), exclusive of millage levied pursuant to subsection (2).

Section 54. Subsection (6) is added to section 1012.21, Florida Statutes, to read:

1012.21 Department of Education duties; K-12 personnel.--

(6) REPORTING.--The Department of Education shall annually post online links to each school district's collective bargaining contracts and the salary and benefits of the personnel or officers of any educator association which were paid by the school district pursuant to s. 1012.22. The department shall prescribe the computer format for district school boards to use in providing the information.

Section 55. Paragraphs (c), (h), and (i) of subsection (1) of section 1012.22, Florida Statutes, are amended, and subsection (3) is added to that section, to read:

1012.22 Public school personnel; powers and duties of the district school board.--The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(c) Compensation and salary schedules.--

1. The district school board shall adopt a salary schedule or salary schedules designed to furnish incentives

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1 for improvement in training and for continued efficient
2 service to be used as a basis for paying all school employees
3 and fix and authorize the compensation of school employees on
4 the basis thereof.

5 2. A district school board, in determining the salary
6 schedule for instructional personnel, must base a portion of
7 each employee's compensation on performance demonstrated under
8 s. 1012.34, must consider the prior teaching experience of a
9 person who has been designated state teacher of the year by
10 any state in the United States, and must consider prior
11 professional experience in the field of education gained in
12 positions in addition to district level instructional and
13 administrative positions.

14 3. In developing the salary schedule, the district
15 school board shall seek input from parents, teachers, and
16 representatives of the business community.

17 ~~4. Beginning with the 2002-2003 fiscal year, each~~
18 ~~district school board must adopt a performance-pay policy for~~
19 ~~school administrators and instructional personnel. The~~
20 ~~district's performance-pay policy is subject to negotiation as~~
21 ~~provided in chapter 447; however, the adopted salary schedule~~
22 ~~must allow school administrators and instructional personnel~~
23 ~~who demonstrate outstanding performance, as measured under s.~~
24 ~~1012.34, to earn a 5-percent supplement in addition to their~~
25 ~~individual, negotiated salary. The supplements shall be funded~~
26 ~~from the performance-pay reserve funds adopted in the salary~~
27 ~~schedule. Beginning with the 2004-2005 academic year, the~~
28 ~~district's 5-percent performance-pay policy must provide for~~
29 ~~the evaluation of classroom teachers within each level of the~~
30 ~~salary career ladder provided in s. 1012.231. The Commissioner~~
31 ~~of Education shall determine whether the district school~~

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~~board's adopted salary schedule complies with the requirement for performance-based pay. If the district school board fails to comply with this section, the commissioner shall withhold disbursements from the Educational Enhancement Trust Fund to the district until compliance is verified.~~

(h) Planning and training time for teachers.--The district school board shall ~~may~~ adopt rules to make provisions for teachers to have time for lunch, professional ~~and some~~ planning, and professional development ~~training~~ time when they will not be directly responsible for the children ~~if, provided that~~ some adult supervision is ~~shall be~~ furnished for the students during such periods.

(i) Comprehensive program of staff development.--The district school board shall establish a comprehensive program of staff development that incorporates school improvement plans pursuant to s. 1001.42 and is aligned with principal leadership training pursuant to s. 1012.985 as a part of the plan.

(3) Annually provide to the Department of Education the negotiated collective bargaining contract for the school district and the salary and benefits for the personnel or officers of any educator association which are paid by the school district. The district school board shall report using the computer format prescribed by the department pursuant to s. 1012.21.

Section 56. Section 1012.2312, Florida Statutes, is created to read:

1012.2312 Differentiated pay for instructional personnel.--

(1) Beginning with the 2006-2007 fiscal year, each district school board shall have a differentiated-pay policy

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1 for instructional personnel and incorporate it into the school
2 district's salary schedule.

3 (2) The differentiated-pay policy may be subject to
4 negotiation as provided in chapter 447; however, the adopted
5 salary schedule must allow instructional personnel to receive
6 differentiated pay based upon factors determined by the school
7 district, including, but not limited to, each of the
8 following:

9 (a) The subject areas taught, with classroom teachers
10 who teach in critical shortage areas receiving higher pay.

11 (b) The economic demographics of the school, with
12 instructional personnel in schools that have a majority of
13 students who qualify for free or reduced-price lunches
14 receiving higher pay.

15 (c) Additional responsibilities of instructional
16 personnel, including, but not limited to, lead and mentoring
17 responsibilities.

18 (d) A performance-pay policy that rewards
19 high-performing instructional personnel with at least a
20 5-percent performance-pay incentive.

21
22 The differentiated pay provided in the salary schedule for
23 each of the factors specified in paragraphs (a)-(d) shall
24 provide an incentive and not be nominal.

25 (3) The Commissioner of Education shall determine
26 whether the district school board's adopted salary schedule
27 complies with the requirements in subsection (2). If the
28 salary schedule does not comply, the commissioner shall
29 recommend to the State Board of Education and the state board
30 may withhold disbursements from the Educational Enhancement
31 Trust Fund to the school district until the district's salary

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schedule is in compliance.

Section 57. Section 1012.2313, Florida Statutes, is created to read:

1012.2313 Differentiated pay for school administrators.--

(1) Beginning with the 2006-2007 fiscal year, each district school board shall have a differentiated-pay policy for school administrators and incorporate it into the school district's salary schedule.

(2) The adopted salary schedule must allow school administrators to receive differentiated pay based upon factors determined by the school district, including, but not limited to, each of the following:

(a) The economic demographics of the school, with school administrators in schools that have a majority of students who qualify for free or reduced-price lunches receiving higher pay.

(b) A performance-pay policy that rewards high-performing school administrators with at least a 5-percent performance-pay incentive.

The differentiated pay provided in the salary schedule for each of the factors specified in paragraphs (a) and (b) shall provide an incentive and not be nominal.

(3) The Commissioner of Education shall determine whether the district school board's adopted salary schedule complies with the requirements in subsection (2). If the salary schedule does not comply, the commissioner shall recommend to the State Board of Education and the state board may withhold disbursements from the Educational Enhancement Trust Fund to the school district until the district's salary

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1 schedule is in compliance.

2 Section 58. Section 1012.2315, Florida Statutes, is
3 created to read:

4 1012.2315 Assignment of teachers.--

5 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature
6 finds disparities between teachers assigned to teach in a
7 majority of "A" graded schools and teachers assigned to teach
8 in a majority of "F" graded schools. The disparities can be
9 found in the average years of experience, the median salary,
10 and the performance of the teachers on teacher certification
11 examinations. It is the intent of the Legislature that
12 district school boards have flexibility through the collective
13 bargaining process to assign teachers more equitably across
14 the schools in the district.

15 (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School
16 districts may not assign a higher percentage than the school
17 district average of first-time teachers, temporarily certified
18 teachers, teachers in need of improvement, or out-of-field
19 teachers to schools with above the school district average of
20 minority and economically disadvantaged students or schools
21 that are graded "D" or "F." Each school district shall
22 annually certify to the Commissioner of Education that this
23 requirement has been met. If the commissioner determines that
24 a school district is not in compliance with this subsection,
25 the State Board of Education shall be notified and shall take
26 action pursuant to s. 1008.32 in the next regularly scheduled
27 meeting to require compliance.

28 (3) SALARY INCENTIVES.--District school boards are
29 authorized to provide salary incentives to meet the
30 requirement of subsection (2). A district school board may not
31 sign a collective bargaining agreement that precludes the

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school district from providing sufficient incentives to meet this requirement.

(4) COLLECTIVE BARGAINING.--Notwithstanding provisions of chapter 447 relating to district school board collective bargaining, collective bargaining provisions may not preclude a school district from providing incentives to high-quality teachers and assigning such teachers to low-performing schools.

Section 59. Subsection (2) of section 1012.27, Florida Statutes, is amended to read:

1012.27 Public school personnel; powers and duties of district school superintendent.--The district school superintendent is responsible for directing the work of the personnel, subject to the requirements of this chapter, and in addition the district school superintendent shall perform the following:

(2) COMPENSATION AND SALARY SCHEDULES.--Prepare and recommend to the district school board for adoption a salary schedule or salary schedules. The district school superintendent must recommend a salary schedule for instructional personnel which bases a portion of each employee's compensation on performance demonstrated under s. 1012.34. In developing the recommended salary schedule, the district school superintendent shall include input from parents, teachers, and representatives of the business community. Beginning with the 2006-2007 ~~2004-2005~~ academic year, the recommended salary schedule for classroom teachers shall be consistent with the district's differentiated-pay policy ~~career ladder~~ based upon s. 1012.2312 ~~s. 1012.231~~.

Section 60. Subsection (6) of section 1012.28, Florida Statutes, is amended to read:

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1 1012.28 Public school personnel; duties of school
2 principals.--

3 (6) A school principal who fails to comply with this
4 section shall be ineligible for any portion of the performance
5 pay policy incentive under s. 1012.2313(2)(b) ~~s.~~
6 ~~1012.22(1)(c)~~.

7 Section 61. Paragraph (a) of subsection (3) of section
8 1012.34, Florida Statutes, is amended to read:

9 1012.34 Assessment procedures and criteria.--

10 (3) The assessment procedure for instructional
11 personnel and school administrators must be primarily based on
12 the performance of students assigned to their classrooms or
13 schools, as appropriate. Pursuant to this section, a school
14 district's performance assessment is not limited to basing
15 unsatisfactory performance of instructional personnel and
16 school administrators upon student performance, but may
17 include other criteria approved to assess instructional
18 personnel and school administrators' performance, or any
19 combination of student performance and other approved
20 criteria. The procedures must comply with, but are not limited
21 to, the following requirements:

22 (a) An assessment must be conducted for each employee
23 at least once a year. The assessment must be based upon sound
24 educational principles and contemporary research in effective
25 educational practices. The assessment must primarily use data
26 and indicators of improvement in student performance assessed
27 annually as specified in s. 1008.22 and may consider results
28 of peer reviews in evaluating the employee's performance.
29 Student performance must be measured by state assessments
30 required under s. 1008.22 and by local assessments for
31 subjects and grade levels not measured by the state assessment

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1 program. The assessment criteria must include, but are not
2 limited to, indicators that relate to the following:

- 3 1. Performance of students.
- 4 2. Ability to maintain appropriate discipline.
- 5 3. Knowledge of subject matter. The district school
6 board shall make special provisions for evaluating teachers
7 who are assigned to teach out-of-field.
- 8 4. Ability to plan and deliver instruction, ~~including~~
9 ~~implementation of the rigorous reading requirement pursuant to~~
10 ~~s. 1003.415, when applicable,~~ and the use of technology in the
11 classroom.
- 12 5. Ability to evaluate instructional needs.
- 13 6. Ability to establish and maintain a positive
14 collaborative relationship with students' families to increase
15 student achievement.
- 16 7. Other professional competencies, responsibilities,
17 and requirements as established by rules of the State Board of
18 Education and policies of the district school board.

19 Section 62. Subsection (4) of section 1012.56, Florida
20 Statutes, is amended to read:

21 1012.56 Educator certification requirements.--

22 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable
23 means of demonstrating mastery of subject area knowledge are:

- 24 (a) Achievement of passing scores on subject area
25 examinations required by state board rule;
- 26 (b) Completion of the subject area specialization
27 requirements specified in state board rule and verification of
28 the attainment of the essential subject matter competencies by
29 the district school superintendent of the employing school
30 district or chief administrative officer of the employing
31 state-supported or private school for a subject area for which

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1 a subject area examination has not been developed and required
2 by state board rule;

3 (c) Completion of the subject area specialization
4 requirements specified in state board rule for a subject
5 coverage requiring a master's or higher degree and achievement
6 of a passing score on the subject area examination specified
7 in state board rule;

8 (d) A valid professional standard teaching certificate
9 issued by another state; or

10 (e) A valid certificate issued by the National Board
11 for Professional Teaching Standards or a national educator
12 credentialing board approved by the State Board of Education.

13

14 School districts are encouraged to provide mechanisms for
15 those middle school teachers holding only a K-6 teaching
16 certificate to obtain a subject area coverage for middle
17 grades through postsecondary coursework or district add-on
18 certification.

19 Section 63. Section 1012.98, Florida Statutes, is
20 amended to read:

21 1012.98 School Community Professional Development
22 Act.--

23 (1) The Department of Education, public postsecondary
24 educational institutions, public school districts, public
25 schools, state education foundations, consortia, and
26 professional organizations ~~and public schools~~ in this state
27 shall work collaboratively ~~collaborate~~ to establish a
28 coordinated system of professional development. The purpose of
29 the professional development system is to increase student
30 achievement, enhance classroom instructional strategies that
31 promote rigor and relevance throughout the curriculum, and

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1 prepare students for continuing education and the workforce.

2 The system of professional development must align to the
3 standards adopted by the state and support the framework for
4 standards adopted by the National Staff Development Council
5 ~~enable the school community to meet state and local student~~
6 ~~achievement standards and the state education goals and to~~
7 ~~succeed in school improvement as described in s. 1000.03.~~

8 (2) The school community includes students and
9 parents, administrative personnel, managers, instructional
10 personnel, support personnel, members of district school
11 boards, members of school advisory councils, business
12 partners, and personnel that provide health and social
13 services to students.

14 (3) The activities designed to implement this section
15 must:

16 (a) Support and increase the success of educators
17 through collaboratively developed school improvement plans
18 that focus on:

19 1. Enhanced and differentiated instructional
20 strategies to engage students in rigorous and relevant
21 curriculum based on ~~in guiding student learning and~~
22 ~~development so as to implement~~ state and local educational
23 standards, goals, and initiatives;-

24 2. Increased opportunities to provide meaningful
25 relationships between teachers and all students; and

26 3. Increased opportunities for professional
27 collaboration among and between teachers, guidance counselors,
28 instructional leaders, postsecondary educators engaged in
29 preservice training for new teachers, and the workforce
30 community.

31 (b) Assist the school community in providing

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1 stimulating, scientific ~~scientifically~~ research-based
2 educational activities that encourage and motivate students to
3 achieve at the highest levels and to participate as ~~become~~
4 active learners and that prepare students for success at
5 subsequent educational levels and the workforce.

6 (c) Provide continuous support for all education
7 professionals as well as temporary intervention for education
8 professionals who need improvement in knowledge, skills, and
9 performance.

10 (4) The Department of Education, school districts,
11 schools, community colleges, and state universities share the
12 responsibilities described in this section. These
13 responsibilities include the following:

14 (a) The department shall ~~develop and~~ disseminate to
15 the school community research-based ~~model~~ professional
16 development methods and programs that have demonstrated
17 success in meeting identified student needs. The Commissioner
18 of Education shall use data on student achievement to identify
19 student needs. The methods of dissemination must include a
20 web-based statewide performance support system, including a
21 database of exemplary professional development activities, a
22 listing of available professional development resources,
23 training programs, and available assistance.

24 (b) Each school district shall develop a professional
25 development system as specified in subsection (3). The system
26 shall be developed in consultation with teachers, teacher-educators
27 ~~and representatives~~ of community colleges
28 ~~college~~ and state universities ~~university faculty~~, business
29 and community representatives ~~agencies~~, and local education
30 foundations, consortia, and professional organizations ~~other~~
31 ~~interested citizen groups to establish policy and procedures~~

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1 ~~to guide the operation of the district professional~~
2 ~~development program.~~ The professional development system must:

3 1. Be approved by the department. All substantial
4 revisions to the system shall be submitted to the department
5 for review for continued approval.

6 2. Be based on analyses ~~Require the use~~ of student
7 achievement data and instructional strategies and methods that
8 support rigorous, relevant, and challenging curricula for all
9 students. Schools and districts, in developing and refining
10 the professional development system, shall also review and
11 monitor school discipline data; school environment surveys;
12 assessments of parental satisfaction; performance appraisal
13 data of teachers, managers, and administrative personnel; and
14 other performance indicators to identify school and student
15 needs that can be met by improved professional performance.

16 3. Provide inservice activities coupled with followup
17 support ~~that are~~ appropriate to accomplish district-level and
18 school-level improvement goals and standards. The inservice
19 activities for instructional personnel shall ~~primarily~~ focus
20 on analysis of student achievement data, ongoing formal and
21 informal assessments of student achievement, identification
22 and use of enhanced and differentiated instructional
23 strategies that emphasize rigor, relevance, and reading in the
24 content areas, enhancement of subject content expertise,
25 integrated use of classroom technology that enhances teaching
26 and learning ~~and teaching methods, including technology, as~~
27 ~~related to the Sunshine State Standards, assessment and data~~
28 ~~analysis~~, classroom management, parent involvement, and school
29 safety.

30 4. Include a master plan for inservice activities,
31 pursuant to rules of the State Board of Education, for all

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1 district employees from all fund sources. The master plan
2 shall be updated annually by September 1, must be based on
3 input from teachers and district and school instructional
4 leaders, and must use the latest available student achievement
5 data and research to enhance rigor and relevance in the
6 classroom. Each district inservice plan must be aligned to and
7 support the school-based inservice plans and school
8 improvement plans pursuant to s. 1001.42(16). District plans
9 ~~using criteria for continued approval as specified by rules of~~
10 ~~the State Board of Education. Written verification that the~~
11 ~~inservice plan meets all requirements of this section must be~~
12 approved by the district school board ~~submitted~~ annually in
13 order to ensure compliance with subsection (1) and to allow
14 for dissemination of research-based best practices to other
15 districts ~~to the commissioner by October 1.~~

16 5. Require each school principal to establish and
17 maintain an individual professional development plan for each
18 instructional employee assigned to the school as a seamless
19 component to the school improvement plans developed pursuant
20 to 1001.42(16). The individual professional development plan
21 must:

22 a. Be related to specific performance data for the
23 students to whom the teacher is assigned.

24 b. Define the inservice objectives and specific
25 measurable improvements expected in student performance as a
26 result of the inservice activity.

27 c. Include an evaluation component that determines the
28 effectiveness of the professional development plan.

29 6. Include inservice activities for school
30 administrative personnel that address updated skills necessary
31 for ~~effective school management and~~ instructional leadership

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1 and effective school management pursuant to s. 1012.986.

2 7. Provide for systematic consultation with regional
3 and state personnel designated to provide technical assistance
4 and evaluation of local professional development programs.

5 8. Provide for delivery of professional development by
6 distance learning and other technology-based delivery systems
7 to reach more educators at lower costs.

8 9. Provide for the continuous evaluation of the
9 quality and effectiveness of professional development programs
10 in order to eliminate ineffective programs and strategies and
11 to expand effective ones. Evaluations must consider the impact
12 of such activities on the performance of participating
13 educators and their students' achievement and behavior.

14 ~~(c) Each community college and state university shall~~
15 ~~assist the department, school districts, and schools in the~~
16 ~~design, delivery, and evaluation of professional development~~
17 ~~activities. This assistance must include active participation~~
18 ~~in state and local activities required by the professional~~
19 ~~development system.~~

20 (c)(d) The Department of Education shall approve a
21 public state university having an approved physical education
22 teacher preparation program within its college of education to
23 develop and implement an Internet-based clearinghouse for
24 physical education professional development programs that may
25 be accessed and used by all instructional personnel. The
26 development of these programs shall be financed primarily by
27 private funds and shall be available for use no later than
28 August 1, 2005.

29 (5) Each district school board shall provide funding
30 for the professional development system as required by s.
31 1011.62 and the General Appropriations Act, and shall direct

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1 expenditures from other funding sources to continuously
2 strengthen the system in order to increase student achievement
3 and support instructional staff in enhancing rigor and
4 relevance in the classroom ~~and make it uniform and coherent.~~ A
5 school district may coordinate its professional development
6 program with that of another district, with an educational
7 consortium, or with a community college or university,
8 especially in preparing and educating personnel. Each district
9 school board shall make available inservice activities to
10 instructional personnel of nonpublic schools in the district
11 and the state certified teachers who are not employed by the
12 district school board on a fee basis not to exceed the cost of
13 the activity per all participants.

14 (6) An organization of private schools which has no
15 fewer than 10 member schools in this state, which publishes
16 and files with the Department of Education copies of its
17 standards, and the member schools of which comply with the
18 provisions of part II of chapter 1003, relating to compulsory
19 school attendance, may also develop a professional development
20 system that includes a master plan for inservice activities.
21 The system and inservice plan must be submitted to the
22 commissioner for approval pursuant to rules of the State Board
23 of Education.

24 (7) The Department of Education shall disseminate,
25 using web-based technology, research-based best-practice
26 ~~design~~ methods by which the state and district school boards
27 may evaluate and improve the professional development system.
28 The best practices ~~evaluation~~ must include ~~an annual~~
29 ~~assessment of~~ data that indicate the progress ~~or lack of~~
30 ~~progress~~ of all students. ~~If the review of the data indicates~~
31 ~~progress, the department shall identify the best practices~~

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1 ~~that contributed to the progress. If the review of the data~~
2 ~~indicates a lack of progress, the department shall investigate~~
3 ~~the causes of the lack of progress, provide technical~~
4 ~~assistance, and require the school district to employ a~~
5 ~~different approach to professional development.~~ The department
6 shall report annually to the State Board of Education and the
7 Legislature any school district that, in the determination of
8 the department, has failed to provide an adequate professional
9 development system. This report must include the results of
10 the department's investigation and of any intervention
11 provided.

12 (8) The State Board of Education may adopt rules
13 pursuant to ss. 120.536(1) and 120.54 to administer this
14 section.

15 (9) This section does not limit or discourage a
16 district school board from contracting with independent
17 entities for professional development services and inservice
18 education if the district school board can demonstrate to the
19 Commissioner of Education that, through such a contract, a
20 better product can be acquired or its goals for education
21 improvement can be better met.

22 (10) For teachers, managers, and administrative
23 personnel who have been evaluated as less than satisfactory, a
24 district school board shall require participation in specific
25 professional development programs as part of the improvement
26 prescription.

27 (11) The department shall disseminate to the school
28 community proven model professional development programs that
29 have demonstrated success in increasing rigorous and relevant
30 content, increasing student achievement and engagement, and
31 meeting identified student needs. The methods of dissemination

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1 must include a web-based statewide performance-support system
2 including a database of exemplary professional development
3 activities, a listing of available professional development
4 resources, training programs, and available technical
5 assistance.

6 Section 64. Section 1012.986, Florida Statutes, is
7 created to read:

8 1012.986 Statewide system for professional development
9 of school leaders.--

10 (1) The intent of this section is to establish a
11 statewide system of professional development which provides
12 high standards and sustained support for principals as
13 instructional leaders. The system shall consist of a
14 collaborative network of professional leadership organizations
15 in order to respond to needs throughout the state. The network
16 shall be established to support the human-resource-development
17 needs of principals, principal leadership teams, and
18 candidates for principal leadership positions using the
19 framework of leadership standards adopted by the State Board
20 of Education, the Southern Regional Education Board, and the
21 National Staff Development Council. Funds appropriated for the
22 leadership network for principals shall be allocated annually
23 in the General Appropriations Act, contingent upon a
24 commitment of financial support or human-resource support from
25 the Florida Association of District School Superintendents,
26 the Florida Association of School Administrators, the Southern
27 Regional Education Board, the Department of Education, the
28 Florida Regional Education Consortia, and education leadership
29 faculty from Florida's community colleges and universities.
30 The goal of the network and the principal leadership training
31 is to:

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(a) Provide resources to support and enhance the principal's role as the instructional leader.

(b) Maintain a clearinghouse and disseminate data-supported information related to enhanced student achievement, based on educational research and best practices.

(c) Build the capacity to increase the quality of programs for preservice education for aspiring principals and inservice professional development for principals and principal leadership teams.

(d) Support best teaching and research-based instructional practices through dissemination and modeling at the preservice and inservice levels for both teachers and principals.

(2) The Department of Education shall coordinate through the network identified in subsection (1) to offer the program through multiple delivery systems, including:

(a) Approved school district training programs.

(b) Interactive technology-based instruction.

(c) State, regional, or local leadership academies.

(3) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

Section 65. Section 1012.987, Florida Statutes, is repealed.

Section 66. This act shall take effect upon becoming a law.